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PART III—Section 4

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महापत्तन प्रशुल्क प्राधिकरण

अधिसूचना

मुंबई, 21 जनवरी, 2019

सं. टीएएमपी/79/2018-विविध.— महापत्तन न्यास अधिनियम, 1963 (1963 का 38) की धारा 50(ग) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा "महापत्तन न्यास प्रशुल्क निर्धारण नीति, 2018 (प्रशुल्क नीति, 2018)" के, खंड 1.5 के अनुपालन में, महापत्तन प्रशुल्क प्राधिकरण एतदद्वारा "महापत्तन न्यास प्रशुल्क निर्धारण नीति, 2018" के कार्यान्वयन के लिए निम्नलिखित कार्यकारी दिशानिर्देश अधिसूचित करता है।

<u>"महापत्तन न्यास प्रशुल्क निर्घारण नीति, 2018"</u>

के कार्यान्वयन के लिए कार्यकारी दिशानिर्देश

प्रस्तावना

महापत्तन न्यास अधिनियम, 1963 (1963 का 38) की धारा 111 के अंतर्गत भारत सरकार, पोतपरिवहन मंत्रालय द्वारा उनके संप्रेषण सं. आईडब्ल्युटी-11/28/2018 – आईडब्ल्युटी दिनांक 26 नवम्बर, 2018 के अंत्गत जारी नीति दिशानिर्देशों के अनुपालन में, महापत्तन प्रशुल्क प्राधिकरण द्वारा, "महापत्तन न्यास प्रशुल्क निर्धारण नीति, 2018" नामक प्रशुल्क नीति अधिसूचित करता है जिसे इसमें इसके पश्चात 'प्रशुल्क नीति - 2018' कहा जाएगा।

- 2.1. 'प्रशुल्क नीति, 2018' के खंड 1.5 के अनुसार नीति को कार्यान्वित करने के लिए इस प्राधिकरण द्वारा कार्यकारी दिशानिर्देश जारी किया जाना अपेक्षित है।
- 2.2 "महापत्तन न्यास प्रशुल्क निर्धारण नीति, 2015" के कार्यान्वयन के कार्यकारी दिशानिर्देश महापत्तन न्यासों के साथ विचार विमर्श के पश्चात बनाया गया था। प्रशुल्क नीति, 2015 के वर्तमान संशोधन, एमओएस द्वारा परामर्शी प्रक्रिया करने के पश्चात और परामर्शी प्रक्रिया के दौरान महापत्तन न्यासों द्वारा की गयी टिप्पणियों तथा उनके द्वारा दिये गये सुझावों पर सुविचार के पश्चात एमओएस द्वारा अंतर्विष्ट करके 'प्रशुल्क नीति, 2018' के रूप में जारी किये गये हैं। उपरोक्त को देखते हुए, इस प्राधिकरण ने यह महसूस किया कि महापत्तन न्यास प्रशुल्क निर्धारण के लिये महापत्तन न्यास प्रशुल्क निर्धारण नीति, 2018 के कार्यान्वयन हेतु कार्यकारी दिशानिर्देश जारी करने के लिये नए सिरे से परामर्श करना ज़रुरी नहीं पाया गया।

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3. प्रशुल्क सूची के खंड 1.5 में अन्तर्विष्ट शर्तों के अनुपालन में, महापत्तन प्रशुल्क प्राधिकरण (प्राधिकरण) एतदद्वारा उपर्युक्त प्रशुल्क नीति, 2018 के कार्यान्वयन के लिए कार्यप्रक्रिया संबंधी निम्नलिखित दिशानिर्देश जारी करता है । महापत्तन न्यास, प्रशुल्क में संशोधन करने के लिए प्रस्ताव तैयार करते समय प्रशुल्क नीति, 2018 और कार्य प्रक्रिया संबंधी दिशानिर्देशों का अनुपालन करेंगे।

'प्रशुल्क नीति, 2018' के कार्यान्वयन के लिए, महापत्तन न्यासों के लिए कार्यकारी दिशानिर्देश

l. सामान्य

1.प्रारंभिक

- 1.1. ये कार्यकारी दिशानिर्देश उन सभी महापत्तन न्यासों पर लागु होंगे जो 'प्रशुल्क नीति, 2018' द्वारा शासित किये जाते हैं।
- 1.2. ये कार्यकारी दिशानिर्देश, 'प्रशुल्क नीति, 2018' के लागू होने की तिथि से प्रभावी होंगे। इन कार्यकारी दिशानिर्देशों की वैधता प्रशुल्क नीति, 2018 की वैधता के साथ सह-समाप्य होगी।
- 1.3. ये कार्यकारी दिशानिर्देश, निम्नलिखित के संबंध में भी साथ साथ लागू होंगे:
 - (i). महापत्तन न्यास अधिनियम, 1963 की धारा 48 के अधीन विनिर्दिष्ट सेवाएं या सुविधाएं प्रदान करने के लिए पत्तन द्वारा लगाए गए प्रशुल्क का नियमन।
 - (ii). उक्त अधिनियम की धारा 49 के अधीन पत्तन से संबंधित या कब्जे या अधि-भोग में, पत्तन की सीमाओं या इसके नियंत्रण में, किसी स्थान पर पत्तन की संपत्ति का प्रयोग करने के लिए प्रभार का निर्धारण। पत्तन की भूमि के लिए प्रशुल्क का निर्धारण भारत सरकार द्वारा समय- समय पर जारी भूमि नीति दिशानिर्देशों के अनुसार किया जाता रहेगा।
 - (iii). उक्त अधिनियम की धारा 49(क) और 49(ख) के अधीन, क्रमश: (पोतों को प्रदान की गई पायलटेज, हॉलिंग, मूरिंग,री मूरिंग, हुकिंग एवं मेज़रिंग व अन्य सेवाओं के लिए) तथा (पत्तन में पोत के प्रवेश पर) देय पत्तन शुल्क का निर्धारण
 - (iv). उक्त अधिनियम की धारा 50 के अधीन, संयुक्त सेवाओं के लिए समाहित दरमान का निर्धारण।
 - (v). प्रशुल्क/प्रभार/शुल्क/देयता को शासित करने वाली सोपाधिक्ताओं का निर्धारण।
- 1.4. इसमें प्रयोग किए गए विभिन्न पारिभाषिक शब्दों की परिभाषा वही होगी जो महापत्तन न्यास अधिनियम, 1963, और भारतीय पत्तन अधिनियम, 1908, समय समय पर यथा संशेधित में दी गई है. जब तक कि पाठ में अन्यथा अपेक्षित न हो।
- 1.5. इन कार्यकारी दिशानिर्देशों को लागू करने में, यदि किसी समस्या का सामना करना पडता है तो उस समस्या को दूर करने के लिए प्राधिकरण, प्रशुल्क नीति, 2018 की मूल विशिष्टता के साथ बिना किसी विरोधाभास के महापत्तन न्यास के परामर्श से इन कार्यकारी दिशानिर्देशों में संशोधन जारी कर सकता है।
- 1.6. महापतन प्रशुल्क प्राधिकरण, कारणों को कलमबद्ध करते हुए स्वयं या संबंधित महापत्तन न्यास द्वारा इसके समक्ष प्रस्तुत आवेदन करने पर पत्तन या पत्तन समूहों के लिए इन कार्यकारी दिशानिर्देशों के किसी भी प्रावधान को लागू करने में छूट प्रदान कर सकता है।

2. दरमान निर्धारण हेतु महापत्तन न्यासों के लिए कार्यकारी दिशानिर्देश

- 2.1. जैसा कि प्रशुल्क नीति, 2018 के खंड 2.1 में अनुबद्ध है प्रत्येक महापत्तन न्यास वार्षिक राजस्व अपेक्षा (एआरआर) का मूल्यांकन करेगा जो पिछले तीन वर्षों (व-1), (व-2), (व-3) के लेखा परीक्षित लेखाओं के अनुसार वर्ष 3 की 31 मार्च को वास्तविक व्यय तथा प्रगतिरत कार्य की कार्यकारी पूंजी सहित नियोजित पूंजी पर 16 प्रतिशत की दर से प्रतिलाभ के योग का औसत होता है और व्यवसायरत्त चार्टरित लेखाकार/लागत और प्रबंधन लेखाकार के द्वारा प्रमाणित हो।
- 2.2. महापत्तन न्यासों के लेखा परीक्षित लेखाओं में दर्शाया गया कुल व्यय, वास्तविक व्यय माना जाएगा बशर्ते निम्नलिखित समंजन किए गए हों :-
 - (i). संपदा संबंधी किए गए समस्त व्यय को शामिल न किया गया हो।
 - (ii). ऋणों पर ब्याज को शामिल न किया गया हो।
 - (iii). वेतन के बकाया, पेंशन/उपदान के बकाया, वेतन में संशोधन के कारण अनुग्रह राशि भुगतान का बकाया आदि जैसे एक बारगी व्यय के केवल 1/3वें भाग को शामिल किया गया हो। इसी प्रकार अधिवर्षिता निधि के अंशदान के 1/3वें भाग को भी वार्षिक राजस्व मांग का परिकलन किया जाएगा।

- (iv). प्रबंधन और सामान्य प्रशासन संबंधी व्यावसायिक व्यय के लिए कुल प्रचालन व्यय और मूल्यह्रास का अधिकतम केवल 25 प्रतिशत लिया जाएगा ।
- (v). सभी व्यय (जैसे प्रचालन व्यय्+मूल्यह्रास+आवंटित प्रबंधन और सामान्य व्यावसायिक व्यय + आवंटित वित्त और विविध व्यय) और इस बात से इतर कि पत्तन और संबंधित प्रयोक्ता के बीच परस्पर प्रशुल्क अनुबंध हुआ है कि नहीं, केप्टिव बर्थ से संबंधित ऐसे सभी व्यय शामिल न किये गये हों।
- 2.3. तीन वर्षों (व-1), (व-2), (व-3) में प्रत्येक वर्ष के लिए व्यय, उपर्युक्त तरीके से ही निर्धारित किया जाए। उसके पश्चात व्यय का साधारण औसत निकाला जाएगा जैसा कि यहां दर्शाया गया है- {(व1+a2 +a3)/3}।
- 2.4. इन कार्यकारी दिशानिर्देशों के खंड 2.5 में निर्धारित मानदंडों के अनुसार नियोजित पूंजी के अंतर्गत शुद्ध स्थायी परिसंपत्तियां तथा वर्ष 3 के 31 मार्च को लेखा परीक्षित वार्षिक लेखाओं में उल्लिखित प्रगतिरत्त-कार्य संबंधी कार्यपूंजी आते है। एस्क्रो लेखा से सृजित वर्ष3 के 31 मार्च को निवल स्थायी परिसंपत्तियां नियोजित पूंजी का भी भाग होंगी। संपदा संबंधी गतिविधियों से संबंधित वर्ष3 के 31 मार्च को, निवल स्थायी परिसंपत्तियां गणना में नहीं ली जाएंगी। बीओटी प्रचालक को स्थानान्तरित शुद्ध स्थायी परिसंपत्तियां, यदि कोई हों, परंतु उन्हें वर्ष3 के 31 मार्च को पत्तन न्यास की पुस्तकों में न दिखाया गया हो तो उन्हें भी गणना में न लिया जाए। इसके अलावा निवल स्थायी परिसंपत्तियों का पुस्तकीय मान यदि कोई हो और जिस पर प्रशुल्क नीति के खंड 2.10 के अनुसार केप्टिव वर्थ के प्रशुल्क निर्धारण के लिए विचार किया जाना हो, को भी गणना में न लिया जाए।
- 2.5. कार्यकारी पूंजी के मानदंडों में, सामान सूची, विविध देनदार और रोकड़-शेष लिए जाएंगे। मुख्य पुर्जों के लिए सामान सूची पर सीमा, एक वर्ष की औसत खपत होगी। इनवेंट्री के स्टोर की खपत के अन्य मामलों में, ईंधन को छोड़कर, यह सीमा भंडार की खपत के एक वर्ष का औसत होगी। तथापि यह सीमा अनुकूलित अतिरिक्त पुर्जों पर लागू नहीं होगी। अतिरिक्त पुर्जों पर बीमा, उपकरण प्रापण लागत का हिस्सा होगा। विविध देनदारों के शेष पर सीमा, दो माह की तथा संपदा आय व भारतीय रेल द्वारा देय रेलवे टर्मिनल प्रभार तथा रोकड़ व्यय पर सीमा एक माह के नकद व्यय होंगे।
- 2.6. प्रगतिरत्त-कार्यकारी पूंजी सहित नियोजित पूंजी पर प्रतिफल वर्ष3 के 31 मार्च को 16 प्रतिशत है।
- 2.7. जैसा कि प्रशुल्क नीति 2018 के खंड 2.3 में उल्लेख किया गया है, वर्ष3 के 31 मार्च को मूल्यांकित वार्षिक राजस्व मांग, वर्ष4 के लिए लागू थोक मूल्य सूचकांक(डब्ल्यु पी आई) के संदर्भ में शत-प्रतिशत सूचकांकित की जाएगी जैसा कि प्राधिकरण द्वारा महापत्तन नयासों को संप्रेषित की गई है। महापत्तन न्यासों द्वारा निर्धारित सूचकांकित वार्षिक राजस्व मांग जैसा कि ऊपर उल्लेख किया गया है, वह सीमा-स्तर है जिसके आधार पर महापत्तन न्यास दरमान तय करेंगे।
- 2.8. दरमान तय करने के लिए विचार किये जाने वाला यातायात, वर्ष3 के लिए विशेषकर केवल पत्तन के लिए अनुमानित समग्र यातायात की गणना की जाएगी।
- 2.9. उपर्युक्त खंड 2.7. के अनुसार मूल्यांकित वार्षिक राजस्व अपेक्षा के आधार पर और खंड 2.8. के अनुसार, यातायात की गणना करते हुए महापत्तन न्यासों को,अपने वाणिज्यक निर्णयों के आधार पर अनुकूल प्रतिक्रिया करने के लिए, दरें तय करने और सूचकांकित वार्षित राजस्व अपेक्षा की सीमा के भीतर दरमान तय करने की छूट होगी जो एक व्यवसायरत्त चार्टिरत लेखाकार/लागत और प्रबंधन के द्वारा प्रमाणित हो। इस संबंध में खंड 2.8. के अनुसार, महापत्तन न्यास, संबंधित परिवहन के लिए प्रस्तावित दरमानों में प्रशुल्क की प्रत्येक मद के अनुसार, अनुमानित आय का विस्तृत विवरण तैयार करेंगे और यह प्रस्थापित करेंगे कि दरमानों में प्रशुल्क मदों से अब तक निर्धारित राजस्व का योग खंड 2.7. में निर्धारित वार्षिक राजस्व मांग की सीमा के भीतर है और यह व्यवसायरत्त चार्टिरत लेखाकार/लागत और प्रबंधन लेखाकार के द्वारा प्रमाणित हो।
- 2.10. महापत्तन न्यास, दरमान तय करते समय संबंधित महापत्तन न्यासों के मौजूदा दरमानों में, यथासंभव, यथामूल्य घाट-भाड़ा, यदि कोई हो, तो उसे हटा देगा तथा इन मामलों में ऐसे कार्गों के प्रहस्तन के लिए विशेष देखभाल को मद्देनज़र रखते हुए विशिष्ट घाट-भाड़ा या बाजार में प्रचलित प्रशुल्क निर्धारित करेगा।
- 2.11. दरमान तैयार करते समय, अनुमोदित पेंशन निधि उगाही, जो एक बारगी देनदारी को पूरा करने के आशय से संबंधित थे, यदि कोई हों, महापत्तन न्यासों के मौजूदा (तत्समय) दरमानों में से हटा दिए जांएगे। महापत्तन न्यासों को महापत्तन न्यासों द्वारा अनुरक्षित एस्क्रो लेखा के शेष को पेंशन निधी में वृद्धि करने, अतिरेक श्रम की लागत पूरी करने या अन्य प्रयोजन हेतु जैसा पत्तन उपयुक्त समझे, प्रयोग करने की छूट है। इसके अतिरिक्त संपदा संबंधी क्रिया-कलापों में अधिक्य को भी इन्हीं प्रयोजनों के लिए प्रयोग में लाया जा सकता है।
- 2.12. उपरोक्त खंड 2.10 तथा 2.11. में उल्लिखित आशोधनों को छोड़कर संबंधित महापत्तनों के दरमानों में निर्धारित शेष मौजूदा सोपाधिकतायों यथावत रहेंगी। यदि पत्तन का मौजूदा सोपाधिकतायों में से किसी सोपाधिकता को आशोधित करने/विलुप्त करने या प्रचालन या किसी अन्य संभाव्यता के कारण आशोधित करने की आवश्यकता है तो पत्तन ऐसे आशोधन कर सकता है, जिसके कारण और वित्तीय/राजस्व पर पड़ने वाले प्रभाव, यदि कोई हों, सूचकांकित एआरआर में कलमबद्ध किये जांएगे।

2.13. प्रशुल्क नीति, 2018 के खंड 2.10 के अनुसार यदि किसी पत्तन और संबंधित प्रयोक्ता के बीच हुए परस्पर करार के द्वारा कैप्टिव घाट/सुविधाओं के लिए अलग से प्रशुल्क व्यवस्था है तो यह संबंधित करार के द्वारा शासित रहेगी। परस्पर स्वीकृत ऐसे दर की अधिसूचना के लिए संबंधित महापत्तन प्राधिकरण से संपंक करेंगे। उन कैप्टिव घाटों/सुविधाओं के प्रशुल्क, जो विशिष्ट करारों के अंतर्गत नहीं आते हैं, प्राधिकरण द्वारा निर्धारित किया जाना जारी रहेगा।

3. प्रस्ताव दायर करना और प्रस्ताव पर कार्रवाई संबंधी प्रक्रिया

- 3.1.1. प्रदत्त सेवाओं या सुविधाओं तथा संपत्ति और परिसंपत्तियों के प्रयोग संबंधी प्रभार तथा कार्य निष्पादन मानकों के लिए दरमान उनकी शासी शर्तों सहित समय समय पर यथासंशोधित प्रशुल्क नीति, 2018 के अनुसार तथा इन कार्यात्मक दिशानिर्देशों के साथ संलग्न प्रपत्र सं 1 से 6 तक ऐसे विवरण, अपेक्षित ब्योरे सहित, प्राधिकरण द्वारा निर्धारित किये गये हों, दस्तावेजी जांच-सची के अनुसार संबंधित महापत्तन न्यास द्वारा तैयार किये जाएंगे।
- 3.1.2. प्रत्येक महापत्तन न्यास प्रस्तावित दरमान और कार्य निष्पादन मानक इसके दरमान लागू होने की संभावित तिथि से 90 दिन पहले प्रस्तुत करेगा । महापत्तन न्यास अपने प्रस्ताव न्यासी मंडल के अनुमोदन सिंहत प्रस्तुत करेंगे । महापत्तन न्यास, न्यासी मंडल के अनुमोदन की एक प्रति कारणों सिंहत, लिखित में, अपने प्रस्ताव प्रस्तुत करने की तिथि से एक माह के भीतर प्रस्तुत करेगा।
- 3.2. प्राधिकरण को दायर किये जाने वाले महापत्तन न्यास दरमान का प्रारुप कार्यनिष्पादन मानकों सिहत महापत्तन न्यास अपनी वेबसाइट पर प्रकाशित करेगा और 15 दिन के भीतर पत्तन तथा प्राधिकरण का ई-मेल का पूरा पता संबंधित हितधारक/प्रयोक्ता की टिप्पणी के लिए देगा। महापत्तन न्यासों द्वारा संबंधित प्रयोक्ता/प्रयोक्ता संगठनों को भी सूचित किया जाएगा। इसके साथ साथ महापत्तन न्यास, इसे वेब पर डालने के 3 दिन के भीतर, कार्य निष्पादन मानकों सिहत, प्रस्तावित दरमान, इन कार्यकारी दिशानिर्देशों के साथ संलग्न लागत नमना प्रपत्र में प्राधिकरण को भी प्रस्तत करेगा।
- 3.3. महापत्तन न्यास, पत्तन न्यासों से प्राप्त अभियुक्तियों पर अपने उत्तर, महापत्तन शुल्क प्राधिकरण को, पत्तन प्रयोक्ताओं से अभियुक्तियां प्राप्त होने की अंतिम तिथि से 15 दिन के भीतर अवश्य ही प्रस्तुत करेगा।
- 3.4. यदि प्रस्ताव या मामले पर प्रयोक्ताओं से कोई आपत्ति प्राप्त नहीं होती है तो प्राधिकरण को संयुक्त बैठक अयोजित करने की आवश्यकता नहीं होगी। प्रयोक्ता द्वारा उठाई गई आपत्तियों की स्थिति में प्राधिकरण पत्तन से संबंधित पक्षों और प्रयोक्ताओं को सुनवाई का एक अवसर प्रदान करेगा। मामले पर सुनवाई(यां) प्राधिकरण के कार्यालय या संबंधित महापत्तन न्यास के कार्यालय में पत्तन और प्रयोक्ताओं के साथ संयुक्त रुप से आयोजित की जाएंगी।
- 3.5. प्राधिकरण महापत्तन न्यास के द्वारा वेबसाइट पर डाले गए दरमान के प्रारुप की पृष्टि करेगा । यदि आवश्यक होगा तो प्राधिकरण, दरमान में प्रस्तावित किसी प्रशुल्क या सोपाधिकता में आशोधन कर सकता है । दोनों मामलों में महापत्तन प्रशुल्क प्रधिकरण एक स्पष्ट आदेश जारी करेगा और न्यास द्वारा प्रस्तावित दरमान, कार्य निष्पादन मानक सहित प्रस्तुत करने की तिथि से 60 से 75 दिन के भीतर सरकारी राजपत्र में अधिसुचित करेगा ।
- 3.6. प्रशुल्क संबंधी मामले में जिस पर केन्द्र सरकार की महापत्तन न्यास अधिनियम की धारा 111 के अन्तर्गत जारी नीति दिशानिर्देश लागू करने के लिए विशेष रुप से पुनर्विचार करने की आवश्यकता हो, यह परामर्शी प्रक्रिया नहीं अपनाई जाएगी। यह केवल उन मदों/प्रशुल्क के भागों तक सीमित है, जिन पर दिशानिर्देश लागू होते हैं।
- 3.7. जब तक कि संबंधित प्रशुल्क आदेशों में विशेष तौर पर पृथक व्यवस्था के लिए अन्यथा उल्लेख न किया गया हो, संशोधित/आशोधित प्रभार राजपत्र अधिसूचना की तिथि से 30 दिन के समाप्त होने के पश्चात प्रभावी हो जाएगा। केवल अपवादित मामलों में, कारणों को कलमबद्ध करते हुए, पूर्वव्यापी प्रभाव दिया जा सकेगा।
- 3.8. इस प्रकार अधिसूचित दरमान, प्रशुल्क नीति, 2018 के खंड 2.8. के साथ पठित कथित प्रशुल्क नीति के खंड 3.2. में उल्लिखित वार्षिक सचकांक के अनरुप 3 वर्षों तक वैध रहेंगे।

4. प्राधिकरण द्वारा अनिवार्य प्रकटनों का प्रकाशन

महापत्तन प्रशुल्क प्राधिकरण, प्रशुल्क नीति, 2018 के खंड 6 के अधीन महापत्तन न्यासों से प्राप्त सभी सूचनाएं अपनी वेबसाइट पर प्रकाशित करेगा। लेकिन, महापत्तन प्रशुल्क प्रधिकरण किसी भी महापत्तन के आंकड़े/सूचना वाणिज्यक दृष्टि से संवेदनशील होने के कारण, उन्हें सार्वजनिक न करने के अनुरोध पर विचार करेगा। प्रश्नगत आंकड़ों/सूचना को सार्वजनिक न किए जाने से संबंधित ऐसे अनुरोध, वाणिज्यक दृष्टि से उनके संवेदनशील होने से संबंधित पूर्ण औचित्य और उनके राजस्व/प्रचालन पर पड़ने वाले प्रभावों सहित, किए जाने चाहिएं। इस संबंध में महापत्तन प्रशुल्क प्राधिकरण का निर्णय अंतिम माना जाएगा।

अन्य पहलू:

- 5.1. दर निर्धारण/संशोधन के लिए प्राप्त प्रशुल्क प्रस्ताव को मामले के रुप में पंजीकृत किया जाएगा।
- 5.2. प्रधिकरण, पत्तन से संबंधित प्रशुल्क प्रस्तावों पर विचार विमर्श के लिए प्रत्येक पत्तन से संबंधित संगठनो की सूची तैयार करेगा। वह पत्तन के साथ परामर्श करके समय समय पर सूची की समीक्षा और उसे अद्यतन करेगा।
- 5.3. पत्तन की वजह से होने वाले उपयुक्त स्तर से अधिक विलंब के लिए प्रयोक्ता को प्रभार अदा करने की आवश्यकता नहीं होगी।
- 5.4. प्रयोक्ता को विलंबित भुगतानों पर ब्याज देना होगा तथा पत्तन विलंबित वापसियों पर उसी दर से ब्याज अदा करेगा।
- 5.5.1. ब्याज की दर 15 प्रतिशत वार्षिक होगी।
- 5.5.2. प्रयोक्ता द्वारा अदायगी में देरी, बिल प्रस्तुत करने के 10 दिन बाद से आरंभ मानी जाएगी। यह प्रावधान उन मामलों में मान्य नहीं होगा जिनमें भुगतान, सेवाएं/पत्तन-संपदा का उपयोग करने से पूर्व किया जाना होता है जैसा कि महापत्तन न्यास अधिनियम, 1963 और/या प्रशुल्क की शर्त के तौर पर उल्लेख किया गया है।
- 5.5.3. पत्तन द्वारा की जाने वाली वापसियों में विलंब, सेवाओं के पूरा हो जाने के 20 दिन पश्चात या प्रयोक्ता से अपेक्षित सभी प्रकार के दस्तावेज प्राप्त हो जाने पर, जो भी बाद में हो, से आरंभ माना जाएगा।
- 5.6.1. अमेरिकी डालर में प्रशुल्क प्रभार को भारतीय रुपया में परिवर्तित इसके समतुल्य भारतीय रुपयों में, भारतीय रिजर्व बैंक द्वारा अधिसूचित संदर्भ दर या भारतीय स्टेट बैंक द्वारा अधिसूचित बाजार क्रय दर के अनुसार वसूल किया जाएगा जैसा भी समय समय पर उल्लेख किया गया हो । महापत्तन न्यास पोत परिवहन मंत्रालय के साथ परामर्श करके और विदेशी मुद्रा प्रबंध अधिनियम, 1999 के अंतर्गत भारतीय रिज़र्व बैंक से अनुमित के अधीन, और अन्य किसी सांविधिक नियम/विनियम का अनुपालन सुनिश्चित करते हुए, अमेरिकी डालर में प्रशुल्क का विदेशी मुद्रा में वसूल कर सकता है।
- 5.6.2. ऐसे मुद्रा परिवर्तन के लिए पत्तन की सीमाओं में पोत के प्रवेश की तिथि मान्य होगी। कंटेनरो पर प्रभार के संबंध में ऐसे मुद्रा परिवर्तन के लिए, आयातित कंटेनरों की अवस्था में पोत की प्रवेश तिथि तथा निर्यात की स्थिति में कंटेनरो के पत्तन में पहुंच की तिथि से गणना की जाएगी।
- 5.6.3. पोत के पत्तन में लम्बी अवधि के लिए खड़ा रहने की स्थिति में उसके आने की तिथि से 30 दिन में एक बार विनिमय दर की नियमित रुप से समीक्षा की जाएगी। तदनुसार बिल तैयार करने का आधार समीक्षा के समय प्रचलित उपयुक्त विनिमय दर के अनुसार बदल जाएगा।
- 5.7.1. जब पत्तन विशेष के दरमानों में किसी नई सेवा/कार्गो/उपस्कर/सुविधा के लिए विशिष्ट प्रशुल्क निर्दिष्ट नहीं होते, तो संबंधित महापत्तन न्यास, प्रशुल्क नीति, 2018 के खंड 7.6.1 के अनुसार, प्राधिकरण को कथित नये कार्गो/उपस्कर/सेवा/सुविधा के लिये किसी अन्य महापत्तन न्यास में निर्धारित, ऐसे ही कार्गो/उपस्कर/सेवा/सुविधा के प्रशुल्क व निष्पादन मानकों को, अधिसूचित करने के लिए अनुरोध कर सकता है। यदि किसी अन्य पत्तन में ऐसी दरें उपलब्ध नहीं हैं या उपलब्ध दरें प्रस्तावित नये कार्गो/उपस्कर/सेवा/सुविधा से मेल नहीं खाती हो तो पत्तन, इष्टतम क्षमता के संदर्भ से, कथित नये कार्गो/उपस्कर/सेवा/सुविधा के लिए दिशानिर्देश-2008 के सिद्धांतों या क्षमता मूल्यांकन या सेवा की तकनीकी विशिष्टता/सुविधा/उपस्कर के आधार पर प्रशुल्क अधिसूचित करने के लिए प्रस्ताव प्रस्तुत कर सकता है। यदि उपर्युक्त विकल्पों के आधार पर प्रशुल्क निर्धारण संभव नहीं तो संबंधित महापत्तन न्यास, लागत तथा 16 प्रतिशत प्रतिफल के आधार पर संतोषजनक कारण देते हुए, दरों का प्रस्ताव प्रस्तुत कर सकता है।
- 5.7.2. प्रशुल्क नीति, 2018 के खंड 7.6.2 के अनुसार, किसी नई सुविधा अथवा नयी सेवा के प्रयोग के लिए दर के नियतन के प्रस्ताव नई कार्गो सुविधा अथवा नई सेवा के आरंभ होने की प्रत्यातिश तारीख से 60 दिन पूर्व प्रधिकरण को भेजा जाएगा। नए कार्गो/उपस्कर/सेवा/सुविधा के प्रशुल्क निर्धारण के लिए प्राधिकरण यथा निर्धारित सामान्य परामर्श प्रक्रिया का अनुसरण करेगा।
- 5.7.3. प्रस्ताव प्रस्तुत होने के साथ ही, अन्तिम दर अधिसूचित किए जाने तक, प्रस्तावित दर तदर्थ आधार पर प्रभारित की जा सकती है।
- 5.7.4. इस अन्तरिम अविध में लागू तदर्थ दर तथा कार्य निष्पादन मानक प्रशुल्क नीति, 2018 के खंड 7.6.1 के साथ पठित कार्यकारी दिशानिर्देशों के खंड 5.7.1. में प्रदत्त रुपरेखा पर आधारित होने चाहिएं तथा ये संबंधित प्रयोक्ता(ओं) के परामर्श के पश्चात तय किए हुए होने चाहिए।

5.7.5. नये कार्गो/उपस्कर/सेवा/सुविधा, जिसके लिए दरमान में दर निर्धारित नहीं है, प्रधिकरण द्वारा निर्धारित अंतिम दर सामान्यतया उत्तरापेक्षी प्रभाव से प्रभावी होगी। तदर्थ आधार पर प्रभारित अंतरिम दर का उसी रुप में अभिज्ञान लिया माना जाएगा जब तक कि यह नहीं पाया जाता कि यह अधिक है और इसमें पूर्वव्यापी प्रभाव से कुछ कमी करने की आवश्यकता हो।

6. अन्य प्राधिकृत सेवा प्रदाताओं द्वारा उगाहे गये प्रभारों का नियमन

अन्य प्राधिकृत सेवा प्रदाताओं द्वारा प्रदत्त सेवाओं के प्रशुल्क, जिनमें धारा 42(3) के अंतर्गत प्राधिकृत व्यवस्था, बीओटी पद्धति के द्वारा किए गए रियायत करार से भिन्न है, प्रशुल्क नीति, 2018 के खंड 8.1 से 8.3 में उल्लिखित प्रावधानों के अनुसार शासित किए जाएंगे। ऐसे मामलों में संबंधित पत्तन न्यास यह सुनिश्चित करेगा कि आवश्यक शर्तों को प्राधिकृत करार में उपयुक्त तरीके से इस तरह शामिल करे कि सेवा प्रदाता निर्धारित दरों को निर्धारित सीमा से अधिक न वसूल सकें।

7. आदेशों की समीक्षा

7.1. संबंधित कार्यवाहियों में विचारित प्रलेखों में स्पष्ट त्रुटियों के संबंध में किसी भी आदेश की समीक्षा के लिए आवेदन, निश्चित सीमा तक ही स्वीकार किया जाएगा बशर्ते ऐसा आवेदन सरकारी राजपत्र में अधिसूचना के जारी होने की तिथि से 30 दिन के भीतर प्रस्तुत किया जाए।

Ⅱ. <u>तकनीकी</u>

8. कार्गो संबंधी प्रभार

- 8.1 कार्गो संबंधी प्रभार भारतीयमुद्रा(रुपये) में दर्शाया जाना जारी रहेगा।
- 8.2.1 घाट-शुल्क दरें प्रहस्तित कार्गो के भार अथवा आयतन के,प्रति-यूनिट आधार पर होंगी।
- 8.2.2 घाट-शुल्क अनुसूची के अंतर्गत किसी कार्गों को "अनिर्दिष्ट" श्रेणी के अंतर्गत वर्गीकृत करने से पूर्व, तत्संबंधी सीमाशुल्क वर्गीकरण का संदर्भ, यह पता लगाने के लिए ले लेना चाहिए कि कार्गों को घाटशुल्क, अनुसूची में उल्लिखित विनिर्दिष्ट श्रेणियों में से किसी श्रेणी के अंतर्गत वर्गीकृत किया जा सकता है अथवा नहीं।
- 8.3 तटीय कार्गो/कंटेनरों के लिए रियायती प्रशुल्क सरकार की नीति निदेशों के अनुसार निर्धारित किया जाएगा। यह निर्धारित है किसभी तटीय कार्गो/कंटेनर के लिए कार्गो/कंटेनर संबंधित प्रभार, तापीय कोयला और क्रूड तेल सहित पीओएल, लौह अयस्क और लौह अयस्क गोलियों को छोड़कर, सामान्य कार्गो/कंटेनर संबंधी प्रभारों का 60% से अधिक नहीं होना चाहिए। कार्गो संबंधी प्रभारों के मामलेमें रियायत, घाट-शुल्क सहित,पोत-तट स्थानांतरण और घाट से/को स्थानांतरण, भण्डारण यार्ड को/से स्थानांतरणके लिए सभी संगत कार्गो प्रहस्तन प्रभारों पर अनुमत होनी चाहिए।
- 8.4 महापत्तन न्यास तटीय पोत को प्राथमिकता के आधार पर बर्थिंग(गोदी) प्रदान करने संबंधी दिशानिर्देश जो पोत परिवहन मंत्रालय द्वारा 4 सितम्बर, 2014 को जारी और महापत्तन प्रशुल्क प्राधिकरण द्वारा उनके 28 नवम्बर, 2014 आदेश संख्या टीएएमपी/52/2014-सामान्य द्वारा अधिसूचित किए गए हैं,सभी महापत्तन न्यासों द्वारा अपने एसओआर में समान रुप से अपनायेजाने के लिए निर्धारित करेंगे।
- 8.5 महापत्तनों को अतिरिक्त कार्गो आकर्षित करने को ध्यान में रखकर बल्क/कैप्टिव प्रचालकों द्वारा अधिक निष्पादन के लिए प्रेरित करने हेतु स्लाइडिंग दरमान अपनाने के लिए प्रयत्न करना चाहिए । व्यापक उच्चतम निर्धारित दरों के भीतर, पत्तन, गैर-पक्षपाती और उद्देश्यपरक आधार पर ऐसी प्रशुल्क स्कीमों के संबंध में निर्णय ले सकते हैं ।
- 8.6 सीमा शुल्क द्वारा अधिसूचित सार्वजनिक अवकाश और पत्तन के गैर-कार्य दिवस,विलम्ब शुल्क/भण्डारण प्रभारों के लिए अनुमत मुक्त-दिवसों में शामिल नहीं किए जाएंगे । फिर भी, मुक्त-दिवसों की संख्या पत्तनों द्वारा पृथक-पृथक प्रस्तावित की जा सकती है । एक बार विलम्ब शुल्क/भण्डारण प्रभार आरंभ हो जाने पर सीमा-शुल्क अधिसूचित अवकाशों और पत्तन के गैर-कार्य दरों के लिए किसी प्रकार की छूट नहीं दी जाएगी।
- 8.7 यदि प्रचालन क्षेत्र प्रयोक्ता को किराये के पट्टे पर दिया जाता है तो उसमें रखे गए कंटेनरों/कार्गो पर विलम्ब शुल्क फिर से नहीं लगाया जाएगा।
- 8.8.1 पत्तनों द्वारा हाथ में लिए गए जहाजी-कुली कार्यकलाप अथवा ऑन-बोर्ड श्रमिकों की आपूर्ति के लिए प्रभार पत्तनों के दरमानों में शामिल किए जा सकते हैं/जहां कहीं अपेक्षित हो अलग से दर्शाये जा सकते हैं।

- 8.8.2 जहां पत्तन द्वारा जहाजी-कुली कार्यकलाप एक अलग कार्य कलाप के रुप में किए जाएं वहां जहाजी कुली दरें प्रति टन आधार पर निर्धारित की जाएं। जहां केवल ऑन-बोर्ड श्रमिक प्रदान किए जाते हैं, वास्तविक मजदूरी और(जमा) प्रतिशत लेवी निर्धारित की जाए। दोनों ही मामलों में, प्रशुल्क को उत्पादकता से संबद्ध किया जाए।
- 8.8.3 मजदूरी और(जमा)प्रतिशत लेवी प्रणाली में, वास्तविक मजदूरी जमा प्रतिशत लेवी के अतिरिक्त कार्य-दर भुगतानों की वसूली भी की जानी चाहिए। पत्तनों द्वारा कार्य-दर स्कीम के आधारभूत मानदंडों और दरों को "नेशनल ट्रिब्यूनल अवार्ड" पर आधारित "नेशनल वेज सेटलमेंट एंड मैनिंग स्केल" के संदर्भ में. समय-समय पर संशोधित करते रहना चाहिए।

9. कंटेनर संबंधी प्रभार

- 9.1 सामान्यतया, बुनियादी कंटेनर प्रहस्तन सेवाओं को, जैसे पोत-तट स्थानांतरण, गोदी और यार्ड के बीच आवाजाही, यार्ड में लिफ्ट ऑफ/लिफ्ट-ऑन, संयुक्त बॉक्स दर को पत्तन की अपेक्षानुसार बढ़ावा दिया जाएगा और इनमें से कोई सेवा प्रदान न किए जाने की स्थिति में उन पर छूट भी अनुमत होगी। आईसीडी कंटेनरों के मामले में भी इसी प्रकार की पद्धति अपनायी जाएगी।
- 9.2 दक्षता/सुरक्षा की दृष्टि से कंटेनरों के स्टोवेज,लेशिंग और अनलेशिंग के कार्य को प्रचालनों का अनिवार्य अंग माना जाना चाहिए।यदि पत्तनों द्वारा यह सेवा प्रदान की जाती है,तो उनके लिए प्रभार लगाए जा सकते हैं।
- 9.3 विदेशगामी पोतों के मामले में कंटेनर संबंधी प्रभार, अमरीकी डालरों में और तटीय पोतों के मामले में रुपये की मुद्रा में रहेंगे बशर्ते मिश्रित बाक्स दर से कार्गो संबंधी प्रभारों को (जो रुपये में होंगे) अलग-अलग रखा जाए।
- 9.4 पोत तट प्रहस्तन और भरे हुए तथा खाली कंटेनरों के भण्डारण का प्रभार वही रहेगा, भिन्न नहीं । लेकिन, खतरनाक सामान वाले कंटेनरों, रीफर और किसी विशेष सेवा के लिए उच्च-प्रभार अनुमत होंगे ।
- 9.5 विभिन्न आकार के कंटेनरों के लिए प्रभार निर्धारित करते समय, निम्नलिखित अनुपात बनाए रखना चाहिए।

प्रभार	20' तक की लम्बाई वाले कंटेनर	20' से ऊपर परन्तु 40' से कम लम्बाई वाले कंटेनर	40' से अधिक लम्बाई वाले कंटेनर		
प्रहस्तन प्रभार	X	1.5 X	2 X		
भण्डारण प्रभार	Υ	2 Y	3 Y		

9.6 पोतान्तरण हेतु कंटेनरों के लिए प्रहस्तन प्रभार रियायती होंगे। ऐसे प्रभार लदान या उतरायी चक्र में सामान्य प्रहस्तन प्रचालन के लिए प्रहस्तन प्रभारों का 1.5 गुणा से अधिक नहीं होने चाहिए। तटीय कंटेनरों के पोतांतरण के मामले में, ऊपर निर्धारित प्रहस्तन प्रभारों में रियायत का परिकलन, ऊपर खण्ड 8.3 में विनिर्दिष्ट रियायतों के अधीन तटीय कंटेनरों के लिए लदान अथवा उतरायी चक्र में सामान्य प्रहस्तन प्रचालन के लिए लागू प्रहस्तन प्रभारों के संदर्भ से किया जाना चाहिए।

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मान लो कि X सामान्य आयात अथवा निर्यात कंटेनरों के लिए प्रहस्तन प्रभार है और Y तटीय कंटेनरों के संदर्भ में इसी प्रकार के प्रचालनों की दर (यहां Y ऊपर खण्ड 8.3 में विनिर्दिष्ट रियायत दिए जाने के पश्चात X के आधार पर निकाली गई है) ।

पोतांरतण हेतु कंटेनरों के लिए प्रहस्तन प्रभार आयात-निर्यात कंटेनरों के मामले में 1.5 X तथा तटीय कंटेनरों के मामले में 1.5 Y से अधिक नहीं होना चाहिए ।

- 9.7.1 कंटेनरयुक्त कार्गो पर घाट शुल्क, प्रति टीईयू पर एक मुश्त राशि निर्धारित की जानी चाहिए, और घाट शुल्क अनुसूची में अलग-अलग वर्गीकरण का संदर्भ नहीं लिया जाना चाहिए।
- 9.7.2 कंटेनरयुक्त कार्गो पर विलम्ब शुल्क भारित कंटेनर पर भू-भाटक (भण्डारण प्रभारों) के अतिरिक्त, अलग से तभी प्रभारित किया जा सकता है, जब ऐसे कार्गो को अतिरिक्त सेवाएं प्रदान की जानी अपेक्षित हों।
- 9.8.1 विद्युत आपूर्ति और रीफर कंटेनरों की मानीटरिंग के लिए प्रभार अमरीकी डालरों में लगाया जाना जारी रहेगा और '4 घंटे का एक यूनिट' की दर से लगाया जाएगा।
- 9.8.2 रीफर कंटेनरों पर अन्य सेवाओं के प्रभार लगाए जाएंगे यदि वह सेवा पत्तन ने प्रयोक्ता के अनुरोध पर सेवा प्रदान की है।

- 9.8.3 खतरनाक कंटेनरों के मामले में प्रहस्तन और भण्डारण प्रभारों पर 50% की सीमा तक प्रीमियम लगाया जा सकता है। अति-आयामी कंटेनरों के लिए भण्डारण प्रभार अलग-अलग कंटेनरों द्वारा घेरे गए भू-स्लाटों की वास्तविक संख्या के आधार पर अथवा वर्तमान परंपरा के आधार पर लगाया जा सकता है।
- 9.9.1 निशुल्क ठरहाव-समय (भण्डारण) में सीमा शुल्क अधिसूचित अवकाश और पत्तन गैर-कार्य दिवस अनुमत नहीं होंगे। तथापि, निशुल्क दिवसों की संख्या, पत्तनों द्वारा पृथक-पृथक रुप से प्रस्तावित की जा सकती है।
- 9.9.2 आयात कंटेनरों के लिए निशुल्क ठरहाव-समयावधि (भण्डारण) कंटेनर के अवतरण दिन के अगले दिन से लागू होगी और निर्यात कंटेनरों के लिए निशुल्क अवधि कंटेनर के टर्मिनल में प्रवेश करने के समय से आरंभ हो जाएगी।
- 9.9.3 परित्यक्त एफसीएल कंटेनरों/पोतवणिक के कंटेनरों पर भण्डारण प्रभार परित्यक्तता की लिखित में सूचना की प्राप्ति की तारीख तक अथवा कंटेनर के अवतरण दिवस से 75 दिन तक, जो भी पहले हो, लगाया जाएगा। इसकी शर्तें निम्नवत् होंगी:
 - (i) परेषिति किसी भी समय परित्यक्तता पत्र जारी कर सकता है।
 - (ii) यदि परेषिति ऐसा परित्यक्तता पत्र जारी नहीं करने का निर्णय लेता है, कंटेनर एजेंट/एमएलओ निम्नलिखित शर्तों के अधीन परित्यक्तता पत्र जारी कर सकता है:
 - (क). कंटेनर, कार्गो सहित, लाइन, पुन: अपनी कब्जे में लेगा और या इसे वापस ले लेगा या फिर पत्तन परिसर से इसे हटा देगा और
 - (ख). कार्गो और कंटेनर को लाइन, पुन: अपने कब्जे में लेने से पूर्व और कंटेनर पर उपार्जित सभी प्रभारों का भुगतान करेगा ।
 - (iii) कंटेनर एजेंट/एमएलओ को आवश्यक औपचारिकताओं का अनुपालन करना चाहिए और परिवहन तथा खाली कराने की लागत वहन करनी चाहिए । यदि वह निर्धारित समयाविध के भीतर ऐसी कार्रवाई करने में असफल रहते हैं, और जब तक शिपिंग लाइनें कार्गों को खाली करने के लिए आवश्यक कदम नहीं उठाती हैं, तब तक कंटेनरों पर भण्डारण प्रभार लगाया जाना जारी रहेगा ।
 - (iv) जहां कंटेनर को सीमाशुल्क प्राधिकारियों द्वारा पकड़/जब्त कर लिया जाता है और उसे 75 दिन की समय सीमा के भीतर खाली नहीं किया जा सकता, भण्डारण प्रभार उस दिन से लगाया जाना समाप्त हो जाएगा जिस दिन सीमा शुल्क कार्गों के छोड़ने का आदेश जारी करेगा बशर्ते कि लाइनें आवश्यक औपचारिकताओं का अनुपालन करें व परिवहन और खाली करने की लागत वहन करे। अन्यथा, पकडे/जब्त किए गए कंटेनरों को लाइन/परेषिति द्वारा पत्तन परिसर से हटाकर सीमा शुल्क बद्ध क्षेत्र में ले जाना चाहिए और उस मामले में भण्डारण प्रभार इस प्रकार हटाये जाने के दिन से लागु होना बंद हो जाए।

10. पोत संबंधी प्रभार

- 10.1.1 विदेश गामी पोतों के लिए पोत संबंधी प्रभार अमरीकी डालरों में जारी रहेंगे और भारतीय रुपयों में वसुला जाएगा ।
- 10.1.2 तथापि , तटीय पोतों के मामले में, पोत संबंधी प्रभार अन्य पोतों के लिए तुलनात्मक प्रभारों के 60% से अधिक नहीं होने चाहिएं । इसके अतिरिक्त, ये प्रभार भारतीय रुपयों में ही परिकलित और वसूल किए जाएंगे और दरमानों के प्रत्येक आम संशोधन के समय प्रचिलत विनियम दर के हवाले से तटीय दरों के पुनर्कथन का सहारा नहीं लिया जाएगा ।
- 10.2 पोत "विदेशगामी" है अथवा "तटीय" के निर्णय के लिए पोत के प्रमाणीकरण में दी गई उसकी हैसियत संगत कारक होगी।
- 10.3 पृथक्कृत स्थिरक भार टैंक सहित तेल टैंकरों के मामले में पत्तन को देय राशि लगाने के लिए अन्तरराष्ट्रीय टन भार प्रमाणपत्र के अनुसार न्यूनीकृत सकल टनभार को लिया जाएगा।
- 10.4 निर्याण-सह-नौकर्षण शुल्क मिश्रित ही रहेगा और इसमें पर्याप्त क्षमता की खिंचाई /जलावतरण की अपेक्षित संख्या के साथ एक आवक और एक जावक गमनागमन और पत्तन सुविधा के लिए पोतों का अंतरण शामिल होगा । केवल,पोतों के अनुरोध पर किए जाने वाले अंतरण के लिए अलग से अंतरण प्रभार लगाए जाएंगे।
- 10.5.1 गोदी किराया प्रभार, तुलनात्मक सेवाओं/सुविधाओं वाली गोदियों का समूहीकरण करके अप्रदत्त सेवाओं/सुविधाओं के मुख्य घटकों के लिए छूट सहित निर्धारित किया जाएगा।
- 10.5.2 सामान्य कार्गो अथवा बहु-प्रयोजन गोदियों के लिए संयुक्त गोदी किराया प्रभारों में आयात/निर्यात प्रचालनों के दौरान घाट क्रेनों (विशेष प्रयोजन क्रेनों/प्रहस्तन प्रणालियों के अति⊟िरक्त) के प्रयोग के प्रभार शामिल होंगे । यदि किसी अवसर पर

- खराबी, योजनाबद्ध अनुरक्षण अथवा किसी अन्य कारण से कोई घाट क्रेन उपलब्ध न करायी जा सके तो छूट का प्रावधान होगा ।
- 10.5.3 गोदी किराया प्रभार के साथ-साथ एंकरेजशुल्क, मूरिंग शुल्क, रोडस्टेड प्रभार आदि, जो पोत के ठहराव की अवधि से संबद्ध होते हैं, लगाये जाने की ईकाई "घंटा" होगी।
- 10.6.1 गोदी किराया, पोत द्वारा प्रस्थान के लिए तैयार होने का संकेत देने के समय से 4 घंटे बाद से रोक दिया जाएगा । गोदी किराया के अवसान के लिए निर्धारित समय सीमा में से पोत के लिए अनुकूल ज्वारीय स्थिति □यों अथवा आंधी-पानी के कारण या रात्रि नौचालन सुविधाएं न होने के कारण पोत के प्रतीक्षा समय को नहीं जोड़ा जाना चाहिए।
- 10.6.2 गलत संकेत देने पर एक दिन के गोदी किराया प्रभार के समान दाण्डिक गोदी किराया लगाया जाएगा।
- 10.6.3 पोत का मास्टर/एजेंट अनुकूल मौसम स्थितियों और ज्वारीय गतिविधियों के अनुसार ही, जैसा पत्तन द्वारा निर्णय लिया जाए, प्रस्थान के लिए तैयार होने का संकेत देगा।
- 10.7 वास्तविक कसौटी अथवा प्राप्त किए जाने वाले लदान/उतराई मानदण्ड विनिर्दिष्ट किए जाने चाहिएं । ऐसा न होने पर दाण्डिक गोदी किराया प्रभार देय हो जाएंगे । मानदण्डों में कार्गों की किस्म, प्रहस्तन उपकरण तथा गोदी में अन्य सुविधाओं का ध्यान रखा जाना चाहिए।
- 10.8 उपकरण/जलयान के लिए किराया प्रभार, संबंधित उपकरण/जलयान के लिए अलग-अलग निर्धारित करने की आवश्यकता नहीं है। वे जलयान/उपकरणों के समृह के लिए भिन्न क्षमता वर्गों के आधार पर निर्धारित किए जाने चाहिए।
- 10.9 पोत संबंधी प्रभार लगाये जाने की इकाई, संबंधित पोत का सकल पंजीकृत टन भार (जीआरटी) होगी। पत्तन देयताएं और गोदी किराया के मामले में जीआरटी का एकल स्तर होगा। पायलटेज और स्थानांतरण प्रभारों को निम्नवत् तीन स्तरों में विनिर्दिष्ट किया जाएगा:
 - (1) 30,000 जीआरटी तक
 - (2) 30,001 से 60,000 जीआरटी तक
 - (3) 60,000 जीआरटी से ऊपर

दूसरे स्तर के लिए प्रथम स्तर की ईकाई दर पर 20% छूट और तृतीय स्तर के लिए प्रथम स्तर की ईकाई दर पर 30% की छूट वृद्धिशील जीआरटी पर प्रभारी होगी, जैसा कि नीचे उदाहरण में दर्शाया गया है:

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मान लो कि प्रथम स्तर यानी 30,000 जीआरटी के लिए निर्याण(पायलटेज) प्रभार विदेशगामी पोत के लिए एक अमरीकी \$ प्रति जीआरटी है और तटीय पोत के लिए 36 रुपये प्रति जीआरटी है। तब तीनों स्तरों के लिए प्रशुल्क का निर्धारण इस प्रकार होना चाहिए:

पोत का आकार	विदेशगामी पोत के लिए दरें	तटीय पोत के लिए दर (रुपये में)
	(अमरीकी \$ में)	
30,000 जीआरटी तक	1.00\$ प्रति जीआरटी	36.00 रु. प्रति जीआरटी
30,001 से 60,000	30,000 जीआरटी से ऊपर और	30,000 जीआरटी से ऊपर और
जीआरटी तक	60000 जीआरटी तक के पोतों के	60000 जीआरटी तक के पोतों के
	लिए अमरीकी \$30,000+अमरीकी	लिएरु.10,80,000+ रु.28.80
	\$0.80	
60,000 जीआरटी से ऊपर	60,000 जीआरटी से ऊपर के पोतों	60,000 जीआरटी से ऊपर के पोतों के
	के लिए अमरीकी	लिएरु.19,44,000+ रु.25.20
	\$54,000+अमरीकी \$0.70	

11. महापत्तन न्यासों के प्रशुल्क/दरमानों के निर्धारण के मामले पर प्राधिकरण स्पष्टीकरण देता रहेगा।

12. सम्पत्ति का पट्टा

इन मामलों में सरकार द्वारा समय-समय पर जारी दिशानिर्देशों का प्राधिकरण और महापत्तन न्यासों द्वारा अनुपालन किया जाएगा।

> टी.एस.बालसुब्रमनियन, सदस्य(वित्त) [विज्ञापन-III/4/असा./512/18]

प्रशुल्क नीति, 2018 को कार्यान्वित करने के लिए प्रशुल्क नीति, 2018 तथा महापत्तन प्रशुल्क प्राधिकरण द्वारा जारी कार्यकारी के अंतर्गत महापत्तन न्यासों द्वारा प्रशुल्क प्रस्ताव करने के लिए प्रपत्रों और अन्य सूचना/दस्तावेज़ों की जांच सूची						
क्रम सं.	प्रशुल्क-प्रपत्रों के शीर्षक	निशान लगाएं				
1	अनुपत्र - शपथपत्र सहित					
2	प्रस्ताव की मुख्य बातें					
3	महापत्तन न्यास प्रशुत्क निर्धारण नीति, 2018 के अधीन एआरआर का अभिकलन - प्रपत्र 1					
4	प्रबंधन और सामान्य उपरि व्यय से संबंधित गणना - प्रपत्र 2					
5	प्रस्तावित दरमानों के अनुसार राजस्व का आकलन - प्रपत्र 3					
6	मानदंडों के अनुसार कार्यकारी पूंजी का अभिकलन - प्रपत्र 4					
7	पिछले तीन वर्षों, वर्ष1,वर्ष2, वर्ष3 के वार्षिक लेखाओं की लेखापरीक्षा सहित वार्षिक प्रशासनिक रिपोर्टें					
8	प्रस्तावित दरमान					
9	वर्तमान दरमानों के प्रशुल्क व सोपाधिकताओं का प्रस्तावित प्रशुल्क व सोपाधिकताओं के साथ तुलनात्मक विवरण- प्रपत्र 5					
10	विचाराधीन वर्षों के प्रत्येक वर्ष के लिए लागत विवरणी में सुविचारित व्यय और लेखा परीक्षित लेखाओं में दर्शाए गए कुल व्यय से संबंधित अलग अलग समाधान विवरण					
11	प्रस्तावित कार्य निष्पादन मानक - प्रपत्र 6					
12	क्रम सं 1,2,3,4,5,6,8,9,10 तथा 11 की साफ्ट प्रति भी दी जाए। सभी प्रपत्र एक्सेल फार्मेट में उचित योजकों के साथ प्रस्तुत किए जाने चाहिएं					
13	अन्य कोइ संबंधित सूचना (कृपया उल्लेख करें)					

शपथ पत्र (अनुपत्र के भाग के रुप में प्रस्तुत किया जाए)

हमने, पोत परिवहन मंत्रालय द्वारा जारी तथा महापत्तन प्रशुल्क प्रा	ाधिकरण (प्राधिकरण) द्व	ारा अधिसूचित प्रशुल्व	ह नीति, 2018
(सं.टीएएमपी/79/2018-विविध (राजपत्र अधिसूचना सं दिनांक जनव	ारी 2019 के अंतर्गत अधि	धेसूचित) और प्राधिक	रण द्वारा जारी
कार्यकारी दिशानिर्देशों को ध्यानपूर्वक पढ़ लिया है तथा प्रशुल्क के	निर्धारण के लिए प्रस्ताव	ा कथित प्रशुल्क नीति	और कार्यकारी
दिशानिर्देशों के अनुसार, सहायक दस्तावेजों सहित, महापत्तन प्रशुल्क	प्राधिकरण द्वारा निर्धारित	प्रपत्रों में, तैयार किय	ा है। प्रस्तावित
प्रशुल्क की वैधता अवधि(तिथि लिखें) से	(तिथि लिखें) तक होगी औ	र वैधता अवधि समाप्त	त होने से कम से
कम तीन माह पूर्व उपयुक्त प्रस्ताव प्रस्तुत कर देंगे।			

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					प्रपत्र-
	महापत्तन न्यास के लिए प्रशुल्क निर्धारण नीति, 2018 के अधीन व	ार्षिक राजस			
	-			गर्खों में	
क्रम सं.	विवरण		वर्ष1	वर्ष2	वर्ष3
		_			
(1).	कुल व् यय (लेखापरीक्षित वार्षिक लेखाओं के अनुसार)	नोट 1			
(i).	प्रचालन व्यय(मूल्यह्रास सहित)				
(ii).	प्रबंधन और सामान्य उपरि व्यय				
(iii).	वित्त और विविध व्यय (एफएमई)				
	कुल व्यय 1=(i)+(ii)+(iii)				
(2).	समंजन - घटाएं:				
(z). (i).	संपदा संबंधी व्यय				
(1)1	्र (क).प्रचालन व्यय (मूल्यहास सहित)				
	(ख).आवंटित प्रबंधन एवं प्रशासनिक उपरि व्यय				
	(ग).आवंटित एफएमई				
	उप-जोड़ 2 (i)=[(क)+(ख)+(ग)]				
(ii).	.ऋणों पर ब्याज				
(11).	.તરળા પર ચ્યાખ				
(iii).	एक बारगी व्यय का 2/3वां भाग, यदि कोई हो जैसे कि मजदूरी, पेशन,	नोट 2			
(111).	उपदान/ अनुग्रह राशि आदि का बकाया (प्रत्येक मद का सूची में उल्लेख करें)।	IIIC Z			
	(称).				
	(평).				
	(刊).				
	उप-जोड़ 2 (iii) = [क)+(ख)+(ग)]				
(iv).	अधिवर्षिता निधियों के अंशदान का 2/3वां भाग, जैसे पेंशन निधि उपदान निधि और छुट्टी नकदीकरण निधि	नोट 3			
	उन्याम माव आर बुट्टा मन्यानरण माव				
(v).	प्रचालन व्यय और मूल्यह्नास के कुल योग के 25 प्रतिशत से अधिक प्रबंधन और सामान्य उपरि व्यय	प्रपत्र 2 के अनुसार			
		-13/11/			
(vi).	प्रशुल्क नीति, 2018 के खंड 2.10. के अनुसार केप्टिव बर्थ के प्रशुल्क से	I		1	
	संबंधित प्रासंगिक व्यय, यदि कोई हों,	1			
	(क).प्रचालन व्यय				
	(ख).मूल्यह्रास				

	(ग).आवंटित प्रबंधन एवं प्रशासनिक उपरि व्यय				
	(घ).आवंटित एफएमई				
	उप-जोड़ 2 (vi) = [(क)+(ख)+(ग)+(घ)]				
	2 का योग = 2 (i)+2 (ii)+2 (iii)+2 (iv)+2 (v)+ 2 (vi)				
(3).	समग्र समंजन के पश्चात कुल व्यय (3 = 1-2)				
(4).	क्रम सं. 3 का औसत व्यय -{ व1+ व2+ व3 } / 3				
(5).	नियोजित पूंजी				
	(i).वर्ष3 की 31 मार्च को निवल स्थायी परिसंपत्तियां लेखापरीक्षित वार्	र्षेक लेखाः	गें के अनुसा	र <u></u>	
	(ii).जोड़ें: वर्ष3 तक का प्रगतिरत्त कार्य (लेखापरीक्षित वार्षिक लेखाओं वे	5			
	अनुसार)				
	(iii).घटाएं: वर्ष3 की 31 मार्च को को संपदा संबंधी कार्यों से संबंधित स्	थायी परि	संपत्तियों की	निवल कीमत	Ī
	(लेखापरीक्षित वार्षिक लेखाओं के अनुसार)				
	(iv).घटाएं: वर्ष3 को बीओटी प्रचालक को स्थानांतरित स्थायी परिसंपि	तेयों का नि	विल मूल्य,	यदि कोई हो,	
	लेखापरीक्षित वार्षिक लेखाओं के अनुसार.				
	(v).घटाएं: वर्ष3 की 31 मार्च को प्रशुल्क नीति के खंड 2.10 के अंतर्गत		-	नेखापरीक् <u>षि</u> त	वार्षिक
	लेखाओं के अनुसार स्थायी परिसंपत्तियों का निवल मूल्य , यि				T
	(vi)जोड़ें : कार्यपरक दिशानिर्देशों के खंड 2.5 में निर्धारित मानदंडों के अनुसार कार्यकारी पूंजी	प्रपत्र 4	व नोट 4	के अनुसार	
	(क). सामान सूची(इनवेंट्री)				
	(ख) विविध देनदार				
	(ग). नकद				
	(घ). (क)+(ख)+(ग) का योग				
	(vii). कुल नियोजित पूंजी[(i)+(ii)-(iii)-(iv)-(v)+(vi)(घ)]				
(6).	नियोजित पूंजी पर प्रतिलाभ - क्रम सं. 5(vii) का 16%				
(7).	वार्षिक राजस्व अपेक्षा -वर्ष3 की 31 मार्च को, [(4)+ (6)]				
	, , , , , , , , , , , , , , , , , , , ,				
(8).	वर्ष4 के लिए 100% की दर से लागू थोक मूल्य सूचकांक का एआरआर	। में सूचकांक	⊥ न उदाहरणा	_ र्थ यदि वर्ष4	2018-19
	ै		-		
(9).	वार्षिक राजस्व मांग (एआरआर) सूचकांकित सीमा				
(10).	ऊपर क्रम सं.9 पर आकलित सूचकांकित एआरआर की सीमा में	प्रपत्र 3	और नोट 5	के अनुसार	1
	, ·		411 × 110 0	य अनुतार	

			1	1			
	<u>प्रमाणपत्र</u>						
यह प्र	माणित किया जाता है कि वार्षिक राजस्व मांग के निर्धारण के लिए ऊपर	विवरणी	में दी गई सूच	ना का सत्या	पन, पत्तन		
-	न्यास के संबंधित वर्षों के लेखा परीक्षित लेखाओं के संदर्भ में कर ली ग	ाई है और	उन्हें सही पार	यागया है।			
महापत्	तन न्यास के वित्त विभाग के प्रमुख		व्यवसायर	त्त चार्ट्रीकृत	त लेखाकार		
				और प्रबंधन			
तिथि		तिथि					
स्थान		स्थान					
7414		74111					
नोट:							
1	संबंधित वर्षों के वार्षिक लेखाओं के अनुसार कुल व्ययों का प्रत्येक वर्ष के	लिए ऊपरि	विवरणी में	विचारित ख	र्चों के साथ		
	समाधान करते हुए समाधान विवरण प्रस्तुत करें ।.						
2	(i) उपरि विवरणी में लेखा परीक्षित लेखाओं और प्रत्येक एक बारगी व्यय	ों के लिए أ	विचारित राश्	शे का समाध	ान करते		
	हुए विस्तृत गणना का विवरण दें ।	 0.0/:::	, ->				
	(ii) एक-बारगी व्ययों के असमावेशन का समंजन प्रशुल्क नीति 2018 के ख औसत व्यय की परिगणना करते समय,वेतन में संशोधन आदि होने के कार						
	राशि का बकाया भुगतान जैसे एक बारगी व्यय के 1/3 भाग, अधिवर्षित				• .		
	इसका अर्थ यह है कि यदि ऊपर क्रम सं .2(iii) पर एक बारगी व्यय के 2/						
	केवल एक वर्ष विशेष के लिये है तो ऊपर क्रम सं 2(iii) पर दिए गए आं	iकड़ों को, ब	क्रम सं. 4 पर	औसत व्यय	की गणना		
	के लिए, केपचर नहीं किया जाए । ऐसे मामले में, ऐक बारगी व्यय के बकाया का 1/3 भाग, एक वर्ष विशेष से संबंधित है,						
	उसे क्रम संख्या 4 के औसत व्यय में जोडा गया है। यदि क्रम सं 2(iii) पर औसत व्यय की गणना के लिए क्रम सं.4 पर अन्तत: 2 वर्षों की औसत लेन		दो वर्षों की सं	ख्याए दी गः	ई है तो		
3	,	· ,	निधि और ट्र	टी नकटीकर	ण निशिके		
J	उपरि विवरणी में लेखापरीक्षित लेखाओं में दी गई राशि और पेंशन निधि, उपदान निधि और छुट्टी नकदीकरण निधि के अंशदान के लिए सुविचारित राशि के समाधान की विस्तृत गणना का विवरण दें						
4	प्रपत्र-4 मे निर्धारित प्रपत्र के अनुसार, कार्यकारी दिशानिर्देशों के खंड 2.5				 गर्यकारी		
•	पूंजी के प्रत्येक घटक की गणना का विवरण दें ।		, , - , ,				
5	महापत्तन न्यास , उपर्युक्त विवरणी के क्रम सं. 10 पर परिकलित वार्						
	आधार पर प्रशुल्क नीति 2018 के खंड 2.5, 2.6 और 2.7 और कार्यकार्र	ो दिशानि	र्देशों के खंड 2	9 से 2.12	का		
	अनुपालन करते हुए, दरमान तय करेंगे।						

प्रपत्र - 2

	प्रबंधन और सामान्य उपरि व्यय का अभिकलन							
				(रु. लाखों में)				
क्रम सं.	विवरण	व 1	व 2	व 3				
(1).	प्रबंधन और सामान्य उपरि व्यय (मूल्यह्वास सहित) (लेखापरीक्षित	100						
	वार्षिक लेखाओं के अनुसार)							

(2)	प्रचालन व्यय(मूल्यह्रास सहित परंतु संपदा से संबंधित प्रचालन व्यय	300		
	रहित) (लेखापरीक्षित वार्षिक लेखाओं के			
	अनुसार)			
(3)	ऊपर 2 का 25%	75		
(4)	स्वीकार्य प्रबंधन और सामान्य उपरि व्यय [ऊपर(1) और(3) का निम्न]	75		
(5)	प्रपत्र 1 में समंज्जन के लिए प्रबंधन और सामान्य उपरि व्यय	25		
	(1-4)			
		(यह परिकल	न केवल उदाह	रण के तौर पर
			दिया गया है))

प्रपत्र-3

	प्रस्तावित दरमानों के अनुसार	राजस्य का आव	ज्ञा						
क्रम सं.	विवरण	वर्तमान प्रशुल् क	वर्तमान दरमानों में अनुसूची का संदर्भ और क्रम संख्या	प्रस्तावित प्रशुल्क	वसूली की इकाई	प्रस्तावित दरमानों में अनुसूची का संदर्भ और क्रम संख्या	वर्ष3 के दौरान विशेषतया पत्तन द्वारा प्रहस्तित वास्तविक यातायात	प्रस्तावित प्रशुल्क के अनुसार राजस्व का आकलन (रु.लाखों	वर्तमान प्रशुल्क पर % वृद्धि
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) = 5*8	(10) = (5- 3)/3
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	प्रस्तावित प्रशुल्क अनुसार आकलि	त कुल राजस्	<u></u> व	 		 	
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	प्रमाणपत्र								
		10	2002	<u> </u>		<u> </u>	<u> </u>	_ Q	
	एतद-द्वारा यह प्रमाणित किया जाता	हाक उप	युक्त ।ववरणा म	प्रस्तुत राष	स्व-आकर	त्रन का जाचकर 	लागइ हआर इस	र सहा पाया गय ⊤	ा हु।
महाप	त्तन न्यास के वित्त विभाग के प्रमुख	के हस्ता	क्षर						
	, , , , ,	,					चार्टरित लेखाक चार्टरित लेखाक	/aлалглэа	च व्यागन
							और प्रबंधन लेख		્લ ભાગલ
			1				आर प्रवधन लख	शकार 	
ति									
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स्था									
न:									
\vdash	2 - 2		_ ~			a .			
नोट:	1.पत्तन, राजस्व के उपर्युक्त आकलन के समर्थन में पृथक लेखा-जोखा दे सकता है ।								
	2 .संपदा से संबंधित क्रियाक्लापों	से प्राप्त	राजस्व जिसके	न् लिए प्रश <u>ु</u>	ल्क भूमि	नीति दिशानि	र्शों के अनुसार	शासित किए	जाते हैं,
	इस प्रपत्र में नही दर्शाये जायेंगे								
	3.यदि विविध मदों के लिए विस्तृ	त परिग	णना संभव न	हो तो पत्तः	न, पिछले	वर्षके वास्त	विक आंकड़ों के	आधार पर आ	कलन कर
	सकता है ।	<u>-</u> '		-					

प्रपत्र - 4

मानदडा ५	के अनुसार कार्यपूंजी का अभिकलन			. * *
क्रम संख्या	मानदंडों के अनुसार कार्यकारी पूंजी की मदें	वर्ष 3 को लेखापरीक्षित	कार्यकारी दिशानिर्देशों के खंड 2.5 के अनुसार मानदंड	रु.(लाखों में) प्रपत्र 2 में मान्य
		वार्षिक लेखाओं के अनुसार सूचित		
(i).	स्वीकार्य इनवेंट्री			
(क)	पूंजीगत अतिरिक्त पुर्जे		एक वर्ष की औसत खपत	
(ख)	अन्य इनवेंट्री, ईंधन ओर कस्टमाइज्ड अतिरिक्त पुर्जों को	छोड़कर	छ: माह की औसत मांग	
	उप-योग (i) = (क)+(ख)			
(ii).	स्वीकार्य विविध देनदार			
(क)	संपदा आय		2 माह	
(ख)	भारतीय रेल द्वारा देय टर्मिनल प्रभार		2 माह	
	उप-योग (ii) = (क)+(ख)			
(iii).	स्वीकार्य नकद शेष			
	नकद व्यय		एक माह के नकद व्यय	
	उप-योग (iii)			
(iv).	मानदंडों के अनुसार कुल कार्यकारी पूंजी-(i+ii+iii)			

प्रपत्र - 5

वर्तमान दरमानों के प्रशुल्क व सोपाधिकताओं का प्रस्तावित प्रशुल्क व सोपाधिकताओं के साथ तुलनात्मक विवरण								
क्रम सं.	वर्तमान दरमान		प्रस्तारि	वेत दरमान	सोपाधिकतायों में प्रस् तावित संशोधन, यदि कोई है, के कारण/ औचित्स			
	अनुसूची सं.	प्रशुल् क औ र सोपाधिकताएं	अनुसूची सं.		प्रशुल्क और सोपाधिकताएं			

प्रपत्र 6

कार्य निष्पादन		
क्रम संख्या	कार्यनिष्पादन प्रतिमान	प्रस्तावित निष्पादन मानक
(1).	कार्गो संबंधी सेवाएं	
(क)	औसत पोत बर्थ दिवस उत्पादन (टनों में)(टिप्पणी)	
(ख)	कनटेनरों के संबंध में औसतन प्रतिघंटा मूव (टीईयू में)	
(2)	पोत संबंधी सेवाएं	
(क)	पोतों के फेरे का औसतन समय (दिनों में)	
(ख)	पोतेां का औसतन बर्थिंग-पूर्व समय (दिनों में)	
टिप्पणी	प्रशुल्क नीति, 2018 के खंड 3.1 के अनुसार कार्गोवार पोत दिवस उत्पादकता की बद्धता अ प्रति महापत्तन न्यास समग्र पोत बर्थ दिवस का प्रस्ताव कर सकते हैं। उक्त शिथिलता को देख कर सकता है और उचित निष्पादन मानकों का प्रस्ताव कर सकता है।	

TARIFF AUTHORITY FOR MAJOR PORTS

NOTIFICATION Mumbai, the 21st January 2019

No. TAMP/79/2018 – Misc.—In exercise of the powers conferred under Section 50(c) of the Major Port Trusts Act, 1963 (38 of 1963) and in compliance of Clause 1.5 of the "The Tariff Policy for Major Port Trusts, 2018 (Tariff Policy, 2018)", the Tariff Authority for Major Ports hereby notifies the following Working Guidelines to operationalise

Working Guidelines to operationalize the Tariff Policy for Major Port Trusts, 2018

the Tariff Policy for Major Port Trusts, 2018 for determination of tariff for Major Port Trusts.

for determination of tariff for Major Port Trusts.

Preamble

In compliance of the policy direction issued by Government of India in the Ministry of Shipping (MOS) under Section 111 of the Major Port Trusts Act, 1963 (38 of 1963), as conveyed by MOS vide its communication No. IWT-11/28/2018-IWT dated 26 November 2018, the Tariff Authority for Major Ports has notified the Tariff Policy for Major Port Trusts called "The Tariff Policy for Major Port Trusts, 2018" herein after named as "Tariff Policy, 2018".

- 2.1. Clause 1.5 of the "Tariff Policy, 2018 requires this Authority, in consultation with all the Major Port Trusts, to issue Working Guidelines to operationalise the policy frame work.
- 2.2. The earlier working guidelines to operationalize the Policy for determination of tariff for Major Port Trusts, 2015 was framed after wide consultation with Major Ports. The current amendments to the Tariff Policy 2015 incorporated and issued by the MOS as Tariff Policy, 2018 are also after consultation process carried out by the MOS and after taking into consideration the comments and suggestions made by the Major Port Trusts during the Consultation process. In view of the above, this Authority has felt that fresh consultation for issue of Working Guidelines to operationalize the Tariff Policy for Major Port Trusts, 2018 for determination of tariff for Major Port Trusts, is not found necessary.
- 3. In compliance with stipulation contained in clause 1.5. of the Tariff Policy, 2018, the Tariff Authority for Major Ports (TAMP) hereby issues the following Working Guidelines to operationalize the said Tariff Policy, 2018. Major Port Trusts shall comply with the Tariff Policy, 2018 and the Working Guidelines while formulating their proposal for tariff revision.

Working Guidelines to operationalize the Tariff Policy for Major Port Trusts, 2018.

I. GENERAL

1. PRELIMINARY

- 1.1. These Working Guidelines shall apply to all the Major Port Trusts who are governed by the Tariff Policy, 2018.
- 1.2. The Working Guidelines shall come into effect from the date of implementation of the Tariff Policy, 2018. The validity of the Working Guidelines shall be co-terminus with the validity of Tariff Policy, 2018.
- 1.3. The Working Guidelines will generally apply, inter-alia, in respect of the following:
 - (i). regulation of tariff levied by the port for services rendered or facilities provided as specified under section 48 of the MPT Act, 1963.
 - (ii). fixation of charges, under section 49 of the said Act, for the use of properties belonging to, or in possession or occupation of, the port or any place within the limits of the port or the port approaches. Fixation/ revision of tariff for port lands will continue to be governed by the Land Policy Guidelines issued by the Government from time to time.

- (iii). fixation of fees under Section 49(A) and 49(B), of the said Act, for (pilotage, hauling, mooring, remooring, hooking and measuring and other services rendered to the vessels) and (port dues on vessels entering the port) respectively.
- (iv). fixation, under Section 50 of the said Act, of consolidated Scale of Rates for combination of services.
- (v). prescription of the conditionalities governing application of the tariff/ charges/ fees/ dues.
- 1.4. Unless the context otherwise requires, various terms used herein will have the same definition as in the MPT Act, 1963, and the Indian Ports Act, 1908, as amended from time to time.
- 1.5. If any difficulty arises in giving effect to the Working Guidelines, the TAMP, in consultation with the Major Port Trusts will issue amendment to this Working Guidelines, not inconsistent with the basic features of the Tariff Policy, 2018, as may be necessary for removing such difficulty.
- 1.6. The TAMP, for reasons to be recorded in writing, may relax application of any of the provisions of these Working Guidelines to a port or group of ports, on its own or on an application made before it by the concerned Major Port Trust.

2. WORKING GUIDELINES TO MAJOR PORT TRUSTS FOR DETERMINATION OF SCALE OF RATES

- 2.1. As stipulated in Clause 2.1. of the Tariff Policy, 2018, each Major Port Trust will assess the Annual Revenue Requirement (ARR) which is the average of the sum of Actual Expenditure as per the final Audited Accounts of the immediate preceding three years (Y1), (Y2) and (Y3) at the time of submitting the proposal plus Return at 16% on Capital Employed including capital work-in-progress obtaining as on 31st March Y3, duly certified by a practising Chartered Accountant/ Cost and Management Accountant.
- 2.2. Actual Expenditure will be the total expenditure as reflected in the Audited Annual Accounts of the Major Port Trusts, subject to the following adjustments:
 - (i). All expenses relating to Estate related activity to be excluded.
 - (ii). Interest on loans is to be excluded.
 - (iii). Only 1/3rd of one time expenses like arrears of wages, arrears of pension/ gratuity, arrears of ex-gratia payments arising out of wage revision, etc. are to be included. Similarly 1/3rd of the contribution to Superannuation Funds are to be included in the calculation of ARR.
 - (iv). Management and General Administration Overheads subject to a cap of 25% of aggregate of the operating expenditure and depreciation is only to be considered.
 - (v). All expenses (viz. operating expenses + depreciation + allocated management and general overheads + allocated Finance and Miscellaneous Expenses) and all such expenses which are relevant for captive berths irrespective of whether there is a mutually agreed tariff arrangement between the port and the concerned user or not, are to be excluded.
- Expenditure for each of the three years (Y1), (Y2) and (Y3) to be determined in the above manner. Thereafter, simple average of the expenditure shall be worked out, as indicated herewith [(Y1 + Y2 + Y3)/3].
- 2.4. Capital Employed will comprise of Net Fixed assets plus capital work in progress as on 31 March of Y3 reported in the Audited Annual Accounts and working capital as per norms prescribed in clause 2.5. of this Working Guidelines. The net fixed assets as on 31 March of Y3 created from Escrow account will also form part of the capital employed. Net fixed assets related to estate activity as on 31 March of Y3 are to be excluded. Net fixed assets transferred to the BOT operator, if any, but reflecting in the Books of Port Trusts as on 31 March of Y3 should be excluded. Further, book value of net fixed assets, if any, relevant to be considered for tariff fixation of captive berths as per Clause 2.10. of the Tariff Policy should also be excluded.

- 2.5. Norms for Working capital will comprise of inventory, sundry debtors and cash balances. Limit on inventory for capital spares will be one year's average consumption and in case of other items of inventory the limit will be six months' average consumption of stores excluding fuels. This, however, will not be applicable for customized spares. Insurance on spares shall be part of the equipment procurement cost. Limit on sundry debtors balances will be two months' Estate income & Railway Terminal charges payable by Indian Railways and the limit on cash balances will be one month's cash expenses.
- 2.6. Return on Capital Employed including capital work-in-progress as on 31 March of Y3 is at 16%.
- 2.7. As stipulated in clause 2.3. of the Tariff Policy, 2018, the ARR so assessed as on 31st March of Y3 will be indexed by 100% of the Wholesale Price Index (WPI) applicable for the year Y4 as communicated by TAMP to the Major Port Trusts. The indexed ARR determined by the Major Port Trusts as stated above is the ceiling level based on which the Major Port Trusts will draw the Scale of Rates (SOR).
- 2.8. For drawing the SOR, the traffic to be considered would be the overall actual traffic exclusively for the port for the year Y3.
- 2.9. Based on the Annual Revenue Requirement as assessed as per Clause 2.7 above and taking into account the traffic as per Clause 2.8 above, the Major Port Trusts will have the flexibility to determine the rates to respond to the market forces based on its commercial judgement and draw the SOR within the ceiling of indexed Annual Revenue Requirement, duly certified by a practising Chartered Accountant/ Cost and Management Accountant. In this regard, Major Port Trusts will make a detailed working of income estimation indicating each of the tariff items in the proposed SOR for corresponding traffic as in clause 2.8 above and establish itself that the sum of the revenue so determined from all the tariff items in the SOR is within the ceiling of the indexed ARR determined in clause 2.7. above duly certified by a practicing Chartered Accountant/ Cost and Management Accountant.
- 2.10. While drawing up the SOR, Major Port Trusts shall as far as possible do away with advalorem wharfage rate if any, in the existing SOR of the concerned Major Port Trusts and determine specific wharfage rate in these cases taking into consideration special care to be taken for handling this cargo or a market determined tariff.
- 2.11. While framing the SOR, the Pension Fund Levy approved, if any, in the (then) existing Scale of Rates of Major Port Trusts which was with the intention of meeting one time liability will be done away with. The Major Port Trusts have flexibility to utilise the balance in the Escrow Account maintained by the Major Port Trusts to augment the pension fund, to meet the cost of surplus labour or any other purposes as deemed fit by the port. Further, the surplus in the estate activity can also be utilised for the same purposes.
- 2.12. Except for the modification prescribed at clauses 2.10. and 2.11. above, status quo shall be maintained in the existing conditionalities prescribed in the SOR of the respective major ports. If the port is of the view that any of the existing conditionalities need to be modified / deleted or new condition to be added due to operational or any other contingency, the port may prescribe such modification for reasons to be recorded and capture the financial / revenue impact, if any, in the indexed ARR.
- 2.13. As per clause 2.10 of the Tariff Policy, 2018 in case where there is a separate tariff arrangement for captive berths/ facilities by way of mutual agreement entered into by the port and the concerned user, it will continue to be governed by the respective agreement. The concerned Major Port shall approach TAMP for notification of such mutually agreed rate. Tariff for captive berths/ facilities not covered by specific Agreements will continue to be stipulated by TAMP.

3. PROCEDURE FOR FILING AND PROCESSING THE PROPOSAL

3.1.1. The SOR, along-with conditionalities governing them, for services rendered or facilities provided and Performance Standards shall be formulated by the individual Major Port Trust, in accordance with the Tariff Policy, 2018, as amended from time to time and as per the Checklist of documents to be filed and the formats

attached as Forms 1 to 6 of this Working Guidelines alongwith such supporting details as prescribed by TAMP.

- 3.1.2. Each Major Port Trusts shall submit the proposed SOR and Performance Standards, 90 days prior to the expected date of implementation of its SOR. Major Port Trusts shall send their proposal along with the approval of the Board of Trustees. The Major Port Trusts may for reasons to be stated in writing submit a copy of approval of Board of Trustees within one month from the date of submission of its proposal.
- 3.2. The Major Port Trusts shall host the entire proposal to be filed before TAMP in its website and give the designated email address of Port as well as TAMP for comments of relevant stakeholder / users within 15 days' time. This will also be intimated by the Major Port Trust to the concerned users/ user organisations. Simultaneously, the Major Port Trusts should file the SOR along with the proposed Performance Standards to TAMP within 3 days from the date of its hosting in the cost formats attached to this Working Guidelines.
 - 3.3. The Major Port Trusts shall submit their replies on the comments received from Port Users to TAMP not later than 15 days from the last date of receipt of comments from the port users.
- 3.4. In case there are no objections from users for a proposal or a case, TAMP need not organize any joint hearing. In case of objections raised by the users, TAMP shall give an opportunity of hearing to the concerned parties and users of the port. Hearing/s of a case or proposal will be organised, jointly with the port and users of the port, either at the Office of the Authority or at the concerned Major Port Trust.
- 3.5. TAMP may confirm the draft SOR of the Major Port Trust hosted on the website. If required, TAMP may modify any of the proposed tariff or conditionalities in the SOR. In both cases, TAMP will pass a speaking order and notify the SOR along with Performance Standards proposed by the Major Port Trust in the Official Gazette within 60 -75 days from the date of filing.
- 3.6. The consultative process shall not be followed in a tariff case which is specifically required to be reviewed to implement the Central Government policy directive issued under section 111 of the MPT Act. This would be limited to such items/ part of tariff to which the directive applies.
- 3.7. Unless otherwise different arrangement is specifically mentioned in the respective tariff orders, revised/ modified charges will come into effect after expiry of 30 days from the date of gazette notification. In exceptional cases retrospective effect may be given for reasons to be recorded.
- 3.8. The SOR so notified shall remain valid for 3 years subject to annual indexation as mentioned in clause 2.8. of the Tariff Policy, 2018 to be read with Clause 3.2 of the said Tariff Policy.

4. PUBLISHING OF MANDATORY DISCLOSURES BY TAMP

TAMP shall publish all the information received by it from Major Port Trusts under clause 6 of the Tariff Policy, 2018 on its website. However, TAMP shall consider a request from any Major Port Trust about not publishing certain data/information furnished which may be commercially sensitive. Such requests should be accompanied by detailed justification regarding the commercial sensitiveness of the data/ information in question and the likely adverse impact on their revenue/ operation upon such publication. TAMP's decision in this regard would be final.

5. OTHER ASPECTS

- 5.1. The tariff proposal for fixation/ revision of rates received will be registered as a case.
- 5.2. TAMP will maintain a list of organisations at each port to be consulted on tariff proposals of that port. It will review and update the list from time to time, in consultation with the port.
- 5.3. Users will not be required to pay charges for delays beyond a reasonable level attributable to the port.
- 5.4. Users shall pay interest on delayed payments and the port shall pay interest on delayed refunds at the same rate.
- 5.5.1. The rate of interest will be 15% p.a.

- 5.5.2. The delay in payments by user will be counted beyond 10 days after the date of raising the bills. This provision will not apply to the case where payment is to be made before availing of the services/ use of port properties as stipulated in the MPT Act, 1963 and/ or prescribed as a condition in the tariff.
- 5.5.3. The delay in refunds by the port will be counted beyond 20 days from the date of completion of services or on production of all documents required from the user, whichever is later.
- 5.6.1. All US dollar denominated tariff will be recovered in Indian Rupees after conversion of charges in US dollar terms into its equivalent Indian Rupees at the Reference rate notified by the Reserve Bank of India or the market buying rate notified by State Bank of India as may be specified from time to time. The Major Port Trusts may collect dollar denominated tariff in foreign currency in consultation with the Ministry of Shipping and subject to obtaining permission of RBI under the Foreign Exchange Management Act, 1999 and ensuring compliance of any other Statutory rules/ regulations which are laid down for the same.
- 5.6.2. The day of entry of the vessel into port limits shall be reckoned as the day for such conversion. In respect of charges on containers, the day of entry of the vessel in the case of import containers and the day of arrival of containers into the port in the case of export containers shall be reckoned as the day for such conversion.
- 5.6.3. A regular review of exchange rate shall be made once in 30 days from the date of arrival in the cases of vessels staying in the port for longer period. The basis of billing shall change prospectively with reference to the appropriate exchange rate prevailing at the time of review.
- 5.7.1. Whenever a specific tariff for a new service/ cargo/ equipment/ facility is not available in the SOR, of that particular port, the concerned Major Port Trust, in accordance with the clause 7.6.1 of the Tariff Policy, 2018 can approach TAMP for notification of tariff for the said new cargo/ equipment/ service/ facility adopting the tariff and performance standards, if any, fixed for comparable cargo/ equipment/ service/ facility in any other Major Port Trust. If there is no rate available in any other Major Port Trust or if the rate available is not representative enough of the proposed new cargo/ service/ facility / equipment then the port may file the proposal for notification of tariff for the said new cargo/ equipment/ service /facility with reference to optimal capacity assessed following the principles of 2008 guidelines or based on rated capacity or technical specification of service/ facility/ equipment. If determination of tariff based on the above prescribed options is not possible, then the Major Port Trusts after giving sufficient reasons may propose rates based on Cost plus 16% return formula.
- 5.7.2. As per Clause 7.6.2 of the Tariff Policy 2018, the proposal for notification of rate for use of a new equipment/ facility or a new service or new cargo shall be forwarded to the TAMP at least 60 days prior to the expected date of commissioning of the new cargo/ facility/ or a new service. For determination of tariff for new cargo / equipment / new service/facility, TAMP will follow normal consultation process as prescribed.
- 5.7.3. Simultaneously with the submission of proposal, the proposed rate can be levied on an ad hoc basis till the rate is finally notified.
- 5.7.4. The ad hoc rate to be operated and the Performance Standards to be applied in the interim period must be based on the approach outlined at clause 7.6.1 of the Tariff Policy 2018 read with clause 5.7.1 of this Working Guidelines and it must be in consultation with the concerned user(s).
- 5.7.5. The final rate fixed by the TAMP for new cargo / service/ equipment / facility for which rate is not prescribed in the SoR, will ordinarily be effective only prospectively. The interim rate adopted in an ad hoc manner will be recognised as such unless it is found to be excessive requiring some moderation retrospectively.

6. REGULATION OF CHARGES LEVIED BY OTHER AUTHORISED SERVICE PROVIDERS

Tariff for services rendered by OTHER AUTHORISED SERVICE PROVIDERS where authorisation arrangement u/s 42(3) is other than by way of a BOT concession agreement, shall be governed by provisions stipulated in clauses 8.1. to 8.3. of the Tariff Policy, 2018. In such cases, the Port Trust concerned will ensure, by suitably including necessary condition in the authorisation arrangement that the authorised service providers

do not charge more than the prescribed ceiling rates.

7. REVIEW OF ORDERS

7.1. Application for review of any tariff order will be entertained to the limited extent of errors apparent on the face of records considered in the relevant proceedings, or for any other justifiable reasons provided such an application is filed within 30 days of the notification in the Official Gazette.

II. TECHNICAL

8. CARGO RELATED CHARGES.

- 8.1. Cargo-related charges shall continue to be denominated in Indian Rupee terms.
- 8.2.1. Wharfage rates shall be on per unit of either weight or volume of cargo handled.
- 8.2.2. Before classifying any cargo under "unspecified" category under the wharfage schedule, the relevant customs classification should be referred to find out whether the cargo could be classified under any of the specific categories mentioned in the wharfage schedule.
- 8.3. Concessional tariff will be prescribed for coastal cargoes/ containers, as per the policy directions of the Government. It is prescribed that the cargo/ container related charges for all coastal cargo/ containers, other than thermal coal and POL including crude oil, iron ore and iron ore pellets should not exceed 60% of the normal cargo/ container related charges. In case of cargo related charges, the concession should be allowed on all the relevant cargo handling charges for ship-shore transfer and transfer from/to quay to/from storage yard including wharfage."
- 8.4. The Major Port Trusts shall prescribe in their SOR, the guidelines on priority berthing to coastal vessel issued by the Ministry of Shipping on 4 September 2014 which has been notified by TAMP vide its Order No.TAMP/52/2014-Genl dated 28 November 2014, for common adoption by all the Major Port Trusts.
- 8.5. Major ports should endeavour to adopt sliding scale of rates to motivate greater performance by bulk/ captive facility operators with a view to attract additional cargo. Within the overall ceiling rates prescribed, ports can decide such tariff scheme on non-discriminatory and objective basis.
- 8.6. For Demurrage/ storage charges, free days allowed shall be exclusive of customs notified holidays and port non-working days. The number of free days may, however, be proposed by individual ports. Once demurrage / storage charge starts accruing no allowance will be made for the customs notified holidays and port non-working days.
- 8.7. If operational area is leased on rental to users, storage charges on containers/ demurrage on cargo stored therein shall not be levied again.
- 8.8.1. Charges for stevedoring activity undertaken, or for supply of on-board labour by ports may be included in the Scale of Rates of the port/ shown separately wherever required.
- 8.8.2. The rates for stevedoring, wherever undertaken by the port as a separate activity, shall be prescribed on per tonne basis. Where only on-board labour is supplied, actual wages plus percentage levy shall be prescribed. In either case, tariff may be linked to productivity.
- 8.8.3. In the wages plus percentage levy system, piece-rate payments shall also be recovered in addition to actual wages plus percentage levy. Ports should revise the datum and rates of piece-rate scheme from time to time in terms of the National Wage Settlements and Manning Scale based on National Tribunal Award.

9. CONTAINER RELATED CHARGES

9.1. Generally, a composite box-rate, at the option of the port, will be encouraged for basic container handling services such as Ship-Shore transfer, movement between berth and the yard and lift off/ lift on at the yard, with

- rebate to be allowed when any of these services are not provided. Similar approach will be extended in the case of ICD containers.
- 9.2. Performance of stowage and lashing/ unlashing of containers shall be treated as essential part of operations in the interest of efficiency/safety. Charges therefor can be levied by ports, if they provide the service.
- 9.3. Subject to segregation of cargo-related charges (which have to be rupee-denominated) from the composite box rate, container-related charges will continue to be US dollar-denominated in the case of foreign-going vessels and rupee denominated in the case of coastal vessels.
- 9.4. Charges for ship-shore handling and storage of loaded and empty containers will continue to be the same and not different. However, higher charges would be allowed for containers having hazardous goods, reefer and for any special services.
- 9.5. While prescribing charges for different sizes of containers, the following ratio shall be maintained:

Charge	Containers of Length upto 20'	Containers of Length above 20' but upto 40'	Containers of Length above 40'
Handling Charges	X	1.5 X	2 X
Storage Charges	Y	2 Y	3 Y

9.6. The handling charges for transhipment containers shall be concessional. Such charges shall not exceed 1.5 times the handling charges for the normal handling operation in loading or unloading cycle. In case of transhipment of coastal containers, the concession in handling charges prescribed above shall be calculated with reference to the applicable handling charges (which are subject to the concessions specified in clause 8.3 above) for coastal containers for the normal handling operation in loading or unloading cycle.

Illustration

Let X be the handling charges for normal import or export containers and Y be rate for similar operations in respect of coastal containers (where Y is arrived at based on X after giving the concessions specified in clause 8.3 above).

Handling charges for transhipment containers will not exceed 1.5X in case of ex-im containers and 1.5 Y in case of coastal containers.

- 9.7.1. Wharfage on the containerised cargo should be a fixed lump-sum amount *per TEU* without reference to individual classification in the wharfage schedule.
- 9.7.2. Demurrage can be charged separately on containerised cargo in addition to ground rent (storage charges) on loaded container, only if additional services to such cargo are required to be provided.
- 9.8.1. Charges for power supply and monitoring of reefer containers will continue to be US dollar denominated and levied on 4-hourly unit.
- 9.8.2. Charges for other services to reefer containers shall be levied if the port has rendered the service at the request of users.
- 9.8.3. Premium upto the extent of 50% on handling and storage charges can be levied in case of hazardous containers. For over dimensional container, the storage charge shall be based on the actual number of ground slots the respective container occupies or as per the existing practice.
- 9.9.1. Free dwell-time (storage) allowed shall be exclusive of Customs notified holidays and port non-working days.

 The number of free days may, however, be proposed by individual port.

- 9.9.2. Free dwell-time (storage) period for import containers shall commence from the day after the day of landing of the container and for export containers the free period shall commence from the time the container enters the terminal.
- 9.9.3. The storage charges on abandoned FCL containers/ shipper owned containers shall be levied upto the date of receipt of intimation of abandonment in writing or 75 days from the day of landing of the container, whichever is earlier subject to the following conditions:
 - (i). The consignee can issue a letter of abandonment at any time.
 - (ii). If the consignee chooses not to issue such letter of abandonment, the container Agent/ MLO can also issue abandonment letter subject to the condition that,
 - (a). the Line shall resume custody of container along with cargo and either take back it or remove it from the port premises; and
 - (b). the line shall pay all port charges accrued on the cargo and container before resuming custody of the container.
 - (iii). The container Agent/ MLO shall observe the necessary formalities and bear the cost of transportation and destuffing. In case of their failure to take such action within the stipulated period, the storage charge on container shall be continued to be levied till such time all necessary actions are taken by the shipping lines for destuffing the cargo.
 - (iv). Where the container is seized/ confiscated by the Custom Authorities and the same cannot be destuffed within the prescribed time limit of 75 days, the storage charges will cease to apply from the day the Custom order release of the cargo subject to lines observing the necessary formalities and bearing the cost of transportation and de-stuffing. Otherwise, seized/ confiscated containers should be removed by the line/ consignee from the port premises to the Customs bonded area and in that case the storage charge shall cease to apply from the day of such removal.

10. VESSEL RELATED CHARGES.

- 10.1.1. Vessel-related charges for foreign-going vessels will continue to be denominated in US dollars and recovered in Indian rupees.
- 10.1.2. However, in case of coastal vessels the vessel related charges should not exceed 60% of the corresponding charges for other vessels. Further, these charges should be denominated and collected in Indian Rupees only and restatement of coastal rates with reference to prevailing exchange rate at the time of each general revision of Scale of Rates will not be resorted to.
- 10.2. Status of a vessel as borne out by its certification is the relevant factor to decide whether vessel is 'foreign-going' or 'coastal'.
- 10.3. Reduced Gross Tonnage as per the International Tonnage Certificate will be reckoned with for levy of port dues in case of oil tankers with segregated ballast tank.
- 10.4. Pilotage-cum-towage fee will continue to be composite and shall include one inward and one outward movement with required number of tugs/launches of adequate capacity and shifting/s of vessels for 'Port convenience.' Only shifting at the request of vessels will attract separate shifting charges.
- 10.5.1. Berth hire charges shall be prescribed by grouping berths having comparable services/ facilities with rebate for major components of services/ facilities not provided.
- 10.5.2. Composite berth hire charges for general cargo or multi purpose berths will continue to include charges for use of wharf cranes (other than special purpose cranes/ handling systems) during the course of import/export

operations with a provision for grant of rebate if on any occasion *no* wharf crane could be made available due to breakdown, planned maintenance, or any other reason.

- 10.5.3. Unit for levy of berth hire charges as well as anchorage fee, mooring fee, roadstead charges, etc. which are linked to the duration of stay of a vessel shall be hourly.
- 10.6.1. Berth hire shall stop 4 hours after the time of the vessel signaling its readiness to sail. The time limit prescribed for cessation of berth hire shall exclude the ship's waiting time for want of favorable tidal conditions or on account of inclement weather or due to absence of night navigation facilities.
- 10.6.2. There shall be a penal berth hire equal to one day's berth hire charge for a false signal.
- 10.6.3. The Master/ Agents of the vessel shall signal readiness to sail only in accordance with favourable weather conditions and tidal movements as decided by the Ports.
- 10.7. Objective criteria or loading/ unloading norms to be achieved shall be specified failing which penal berth hire charges will become payable. The norms will have to take into account cargo type, handling equipment and other facilities at the berth.
- 10.8. Hire charges of equipment/ craft need not be specified individually for the concerned equipment/ craft; they should be prescribed for a group of craft/ equipment based on different capacity ranges.
- 10.9. The unit for levying vessel related charges will be Gross Registered Tonnage (GRT) of the concerned vessel. In case of port dues and berth hire, there will be a single slab of GRT. Pilotage and shifting charges will be prescribed in three slabs as mentioned below:
 - (1). Up to 30,000 GRT
 - (2). 30,001 to 60,000 GRT
 - (3). Above 60,000 GRT

A reduction of 20% on the unit rate of the first slab will be effected for the second slab and a reduction of 30% on the unit rate of the first slab will be effected for the third slab on the incremental GRT, as illustrated below:

Illustration

Let the pilotage charge for the first slab i.e. upto 30,000 GRT be US\$ 1 per GRT for a foreign going vessel and ₹36 per GRT for a coastal vessel. Then the tariff for the three slabs shall be prescribed as follows:

Vessel Size	Rate for foreign-going vessel (in US\$)	Rate for coastal vessel (in `)			
Up to 30,000 GRT	1.00\$ per GRT	₹36.00 per GRT			
30,001 to 60,000	US\$ 30,000 + US\$ 0.80 for vessels	₹10,80,000 + ₹28.80 for			
GRT	above 30,000 GRT and upto 60,000	vessels above 30,000 GRT			
	GRT	and upto 60,000 GRT			
Above 60,000 GRT	US\$ 54000 + 0.70 US\$ for vessels	₹19,44,000 + ₹25.20 for			
	above 60,000 GRT	vessels above 60,000 GRT			

11. TAMP will continue to furnish clarification on matter involving fixation of tariff / Scale of Rates of Major Port Trusts.

12. LEASE OF PROPERTY

Guidelines issued by Government in these matters from time to time will be followed by TAMP and Major Port Trusts.

	Checklist of Forms and other information/ documents to be submitted for filing tariff proposals by Major Port Trusts under Tariff Policy, 2018 and Working Guidelines issued by TAMP to operationalise the Tariff Policy, 2018.					
Sl. No.	Title of Tariff Filing Forms	Tick				
227100	1100 01 10111 1 1111g 2 011110	11011				
1	Covering letter - including the undertaking					
2	Highlights of the proposal					
3	Computation of ARR under Policy for Determination of Tariff for Major Port Trusts, 2018 - Form 1					
4	Working relating to Management and General Overheads - Form 2					
5	Revenue Estimation at the proposed Scale of Rates - Form 3					
6	Computation of Working Capital as per norms - Form 4					
7	Annual Administration Reports with Audited Annual Accounts for the past three years Y	1, Y2 and Y3				
8	Proposed Scale of Rates					
9	Comparision of existing SOR and conditionalities vis-à-vis proposed tariff and condition	alities - Form 5				
10	Reconciliation statement relating to expenses considered in the cost statement and total e	expenses reflected				
	in the Audited Annual Accounts for each of the years under consideration					
11	Proposed Performance Standards - Form 6					
12	Documents specified at sl. no. 1,2,3,4,5,6,8,9, 10 and 11 to be furnished in soft copy as v	vell. All forms				
	submitted in Excel format should be with proper linkages.	_				
13	Any other relevant information (Please specify)	1				

UNDERTAKING (To be furnished as a part of the covering letter)

We have carefully gone through the Tariff Policy, 2018 issued by the Ministry of Shipping and notified by the Tariff Authority for Major Ports (TAMP) (bearing no. TAMP/79/2018-Misc vide Gazette Notification No. ---- dated --- January 2019) and the Working Guidelines issued by TAMP and have prepared the proposal for fixation of tariff in accordance with the said Tariff Policy and Working Guidelines, in the formats and supporting documents as prescribed by the Tariff Authority for Major Ports. The proposed tariff will have a vailidity period of three years from (specify date) to (specify date) and we would submit a suitable proposal at least three months before the expiry of the validity period.

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Form - 1

	Computation of Annual Revenue Requirement under Tariff Policy, 2018 for Determination of Tariff for Major Port Trusts.						
	Rs. in lakhs						
Sl. No.	Description		Y1	Y2	Y3		
(1).	Total Expenditure	Note 1					
	(As per Audited Annual Accounts)						
(i).	Operating expenses (including depreciation)						
(ii).	Management & general Overheads						
(iii).	Finance and Miscellanous expenses (FME)						
	Total Expenditure 1=(i)+(ii)+(iii)						

(2). Less Adjustments: (3). Bestate related expenses (a). Operating expenses (including depreciation) (b). Allocated Management & Administrative Overheads (c). Allocated FME Subtotal 2 (i)=((a)+(b)+(c)) (ii). Interest on Ioans (iii) 2/3rd of One time expenses, if any like arrears of wages, arrears of pension / gratuity, arrears of exgratia payment, etc. (list out each of the ficens) (a). (b). (c). Subtotal 2 (iii) = [(a)+(b)+(c)] (iv). 2/3rd of the Contribution to the Superamuation funds like Pension Fund, Gratuity Fund, and Leave Encashment Fund (v). Management and General overheads over & above 25% of the aggregate of the operating expenditure and depreciation (vi). Expenses relevant for tariff fixation of Captive Berth, if any governed under clause 2.10. of the Tariff Policy, 2018. (a). Operating Expenses (b). Depreciation (c). Allocated Management and Administrative Overheads (d). Allocated FME. Subtotal 2 (vi) = [(a)+(b)+(c)+(d)] Total of 2 = 2 (i)+2 (iii)+2 (iii)+2 (iv)+2 (vi) + 2 (vi) (ii). Adverage Expenses of St. No. 3 = Y1 + Y2 + Y3 / 3 (As per Audited Annual Accounts) (iii). Add: Working Capital as seets related to Estate activity as on 31st March Y3 a per Audited Annual Accounts) (iv). Less: Net value of fixed assets; if any, transferred to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Less: Net value of fixed assets is any answered to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Less: Net value of fixed assets is any answered to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Less: Net value of fixed assets is any answered to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Less: Net value of fixed assets is any answered to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Less: Net value of fixed assets is any answered to BOT operator as on 31st March Y3 a per Audited Annual Accounts) (vi). Sundry Debors (c). Cash (d). Sun of (a). Sundry Debors (e). Cash (d). Sun of (a). Sundry						1
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(a). Inventory (b). Sundry Debtors (c). Cash (d). Sum of (a)+(b)+(c) (vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]				m 4 &		
(b). Sundry Debtors (c). Cash (d). Sum of (a)+(b)+(c) (vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]		of the Working Guidelines	Note 4			
(b). Sundry Debtors (c). Cash (d). Sum of (a)+(b)+(c) (vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]		(a). Inventory				
(c). Cash (d). Sum of (a)+(b)+(c) (vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]						
(d). Sum of (a)+(b)+(c) (vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]						
(vii). Total Capital Employed [(i)+(ii)-(iii)-(iv)-(v)+(vi)(d)]		1 /				
				 		
(6). Return on Capital Employed 16% on SI. No. 5(vii)		(1)7(11)-(11)-(11)-(11)-(11)-(11)-(11)-(
(6). Return on Capital Employed 16% on SI. No. 5(vii)	(6)	D				
	(6).	Return on Capital Employed 16% on SI. No. 5(vii)		L		

(7).	Annual Revenue Requirement (ARR) as on 31 March Y3 [(4)+ (6)]		
(8).	Indexation in the ARR @ 100% of the WPI applicable for the y then the applicable WPI is 3.85% and the indexed ARR for the		
(9).	Ceiling Indexed Annual Revenue Requirement (ARR)		
(10).	Revenue Estimation at the Proposed indexed SOR within the Ceiling indexed ARR estimated at Sl No. 9 above	As per For Note 5	rm 3 &
	Cening indexed MAN estimated at 51 No. 7 above	11010 5	
	I.		l .
	CERTIFICATE		
	certified that the information furnished in the above statement for ement has been verfied with reference to the Audited Annual Acc Trust and found to be in order.		
Head of	the Finance Department of the Major Port Trust		Chartered Accountant or Cost and Management Accountant in practice.
Date Place		Date Place	

Notes

- Furnish reconciliation statement reconciling total Expenses as per the Annual Accounts for the respective years with the total expenses considered in the above statement for each of the years.
- 2 (i). Furnish detailed working reconciling the amount reported in the Audited Accounts and the amount cosidered for each of the one time expenses in the above statement.

 (ii)The adjustments for exclusion of one time expenses should be done in line with clause 2.2 (iii) of the Tariff
 - (ii) The adjustments for exclusion of one time expenses should be done in line with clause 2.2 (iii) of the Tariff Policy, 2018. While computing the average expenses, 1/3rd of the one time expenses like arrears of wages, arrears of pension/ gratuity, arrears of ex-gratia payments arising out of wage revision etc. and 1/3rd of superannuation fund, should be included. This means, if the figure at SI No . 2(iii) above for exclusion of 2/3rd of one time expenses is related to only one particular year out of three years, then, for computing the average expenses at SI No 4, the figure of sl No 2(iii) should not be considered for exclusion. In such a case, 1/3rd of the arrears of one time expense which is pertaining to only one particular year should be captured i.e. added to the average expense at SI No 4. If the figures at Sr. No 2(iii) above are reported for two out of three years, then average of two years should be finally captured while computing the average expenses at SI. No 4.
- Furnish detailed working reconciling the amount reported in the Audited Accounts and the amount cosidered towards Contribution to the Pension Fund, Gratuity Fund and Leave Encashment fund in the above statement.
- Furnish detailed working for each of the components of the working capital following the norms prescribed in clause 2.5. of the Working Guidelines as per the format prescribed in Form 4.
- Based on the indexed ceiling ARR computed in the above statement at Sl No.10 above, the Major Ports Trust should draw the Scale of Rates (SOR) complying clauses 2.5., 2.6., 2.7 of the Tariff Policy, 2018 and Clauses 2.9. to 2.12 of the Working Guidelines.

Form - 2

Working relating Management and General Overheads

(Rs. in lakhs)

Sl.	Description	Y1	Y2	Y3
No.				
(1).	Management and General Overheads (inclusive of depreciation) (As per Audited Annual Accounts)	100		

(2)	Operating Expenditure (including depreciation but excluding operating expenditure relating to Estate) (As per Audited Annual Accounts)	300		
(3)	25% of 2 above	75		
(4)	Management & General Overheads admissible (Lower of (1) and (3) above)	75		
(5)	Management & General Overheads considered for adjustment in Form 1 (1-4)	25		
		(This is a samp	le Computation	

Revenue Estimation at the proposed Scale of Rates

Form - 3

Sl. No.	Description	Existing tariff	Reference to the schedule and SI No in existing SOR	Proposed Tariff	Unit of levy	Reference to the schedule and SI No in proposed SOR	Actual Traffic exclusively handled by the port during the year Y3	Revenue estimation at the proposed tariff (Rs. In lakhs)	% increase over the existing tariff
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) = 5*8	(10) = (5-3)/3

Total estimated Revenue at the proposed tariff								

· ·	ished in the above statement has been verfied and found to in Order.
Head of the Finance Department of the Major Port Trust	Chartered Accountant/ Cost and Management Accountant in practice
Date Place	

Note: 1. The Ports may give workings separately in support of the above revenue estimation.

- 2. Revenue from Estate activity for which tariff is governed under Land Policy Guidelines shall not be captured in this Form.
- 3. For miscellaneous items, if detailed computation is not possible, Ports can estimate based on the previous year's actuals.

Computation of Working Capital as per norms

Rs. in lakhs

Form - 4

Sl. No.	Working Capital items as per norms	As reported in the Audited Annual Accounts as on Year	Norms as per clause 2.5. of the Working Guidelines	Considered in the Form 2	
		Y3.	Guidennes		
(i).	Allowable Inventory				
(a)	Capital spares		One year average consumpti	on	
(b)	Other Inventory excluding fuel and customized spares		Six months average requirements		
	Sub-total (i) = (a)+(b)				
(ii).	Allowable Sundry Debtors				
(a)	Estate income		2 months		
(b)	Terminal charges payable by Indian Rai	ilways	2 months		
	Sub-total (ii) = $(a)+(b)$				
(111)					
(iii).	Allowable Cash balance				
	Cash Expenses		One months Cash Expenses		
	Sub-total (iii)				
(iv).	Total Working Capital as per norms (i+ii+ii)			

Form - 5

C	omparision				
Sr. No.		conditionalities Existing SOR Proposed SOR		Reasons/justification for amendments in conditionalities, if any, proposed	
	Schedule No.	Tariff and Conditionalities	Schedule No.	Tariff and Conditionalities	

Form - 6

Performa	nce Standards	
Sl. No.	Performance Parameters	Proposed performance standards
(1).	Cargo Related Services	
(a)	Average Ship Berth day Output (in tonnes) (Note)	
(b)	Average moves per hour (in TEUs) in respect of Containers	
(2)	Vessel Related Services	
(a)	Average Turnaround Time of Vessels (in days)	
(b)	Average Pre-Berthing Time of Vessels (in days)	
N		
Note:	As per clause 3.1 of the Tariff Policy, 2018, it is not necessary to a berth day output. Instead Major Port Trusts may propose overa In view of the above flexibility, the port may examine and approperformance standards.	ll ship berth day output.